

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA

REGULAR MEETINGS
MONDAY, AUGUST 4, 1997**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:15 p.m. on Monday, August 4, 1997, with Councillor SerVaas presiding.

Councillor O'Dell led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams
1 ABSENT: Moriarty Adams

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Massie recognized State Representative Dave Frizzell. Councillor Borst recognized representatives from the Southdale Civic League. Councillor O'Dell introduced Sheriff Jack Cottey's wife, Christy.

Councillor Talley moved, seconded by Councillor Short, to suspend the rules in order to allow a brief presentation by Councillor Talley following the budget messages by the Mayor and the Auditor.

Councillor McClamroch asked what this presentation is regarding. Councillor Talley answered that his presentation concerns Plan 2000 and the Tax Increment Financing (TIF) Districts.

The President stated that he would like to avoid extensive remarks concerning the budget at this time. He added that there will be plenty of time to address all issues during the committee meetings and public hearings.

The motion to suspend the rules failed by the following roll call vote; viz:

9 YEAS: Black, Boyd, Brents, Golc, Gray, Jones, Short, Talley, Williams

18 NAYS: Borst, Bradford, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Tilford

1 NOT VOTING: Smith

1 ABSENT: Moriarty Adams

Councillor Talley stated that he will hold a press conference in Room 260 immediately following the Mayor's presentation.

Budget Messages:

Hon. Stephen Goldsmith, Mayor

Thank you Mr. President, members of the Council. This is my sixth budget, the first one that has generated controversy before I have presented it, however. Let me do this as expeditiously as possible because I know there are a number of citizens here on a number of other issues.

This budget is consistent with the previous budget debated by the Council and consistent with our cities vision of "a competitive city with safe streets, strong neighborhoods and a thriving economy." The approach of this budget is similar to that of the past; we are attempting to reduce the size of government, to ease the burden on families and businesses especially as it relates to taxes, and do our core businesses better. The budget for 1998 will be approximately \$438 million, \$22 million less than the budget in 1991, but \$10 million higher than the budget in 1997. Virtually all of the additional funds that we've requested to be invested next year will be spent on public safety. If you look at this city budget trend verses actual (chart), you would see that if the budget had gone up at the regular rate as it had prior to 1992 that it would now be at \$565 million. The budget this year will be \$438 million and you can see an increase of approximately \$10 million from last year. As I said, virtually all of the increase will be devoted to public safety. Projected revenues exceed expenditures by \$1.75 million. If you recollect the budget for 1992, the expenses exceeded revenues by \$20 million so we're staying on the positive side. Equally important, I think, for this council given its concern about the growth of the economy, is that the property tax rate is reduced for the third time. The property taxes now will be the lowest that they have been since 1982. The tax rate continues to fall, and as the tax rate falls, revenues go up because of economic development and investment. There will be marginal decreases in the property tax rate again as there have been in the past. This decrease is compounded, obviously, by the reassessment period.

However, as many citizens know, (some are in the audience tonight) they don't see a drop in their property tax rate, and that is because other organizations increase their taxes faster than the organizations that come before the Council and reduce their taxes. Between 1992 and 1997 the City of Indianapolis reduced the tax rate by almost 3%, Health and Hospital reduced its tax rate by almost 6%, Metro reduced its tax rate by 2.83%, the Libraries increased our tax rate by 3% and the schools increased our tax rate by 6%. So, essentially, with the exception of the libraries, all the organizations that come before the Council have reduced their taxes. Yet schools, and to some extent libraries, suffocated that tax decrease by their continuing increases. We think it is important, and I believe the council agrees, that the decreases in the tax rate are the reason we are

having so much economic vitality in our community today. It is a very important issue to focus on and one we think that the Council will appropriately debate as we go forward.

Even when we have addressed issues like the arena and the convention center, we have been very careful not to use property taxes and not to divert any income from Parks, or Infrastructure, or Police, or any other source because what we want to do is create jobs and create investments.

Secondly, this Council, over the last several years with the administrative branch of government, has moved to measuring performance. You have held us responsible, not merely for spending your money, but for spending your money well. And we measure performance 250 different ways which will be and are included in the budget that you have received. That allows the Council, as the watchdogs for the public, to monitor our results, holding us responsible for where we do well, and holding us responsible for where we don't do quite so well. The \$230 million that we have saved as a result of competition and privatization has not only saved dollars but each time we've competed out public services, we've raised the quantity and the quality of the services as well. So we invite your attention, scrutiny and debate, including Councilor Talley's, to these performance issues. This is where reasonable people can differ, and where the Council can provide a guidance through the appropriation process.

The issue that is on the minds of many of us is the issue of public safety. In the area of public safety in 1991 there was \$138 million devoted by this Council for public safety. The 1998 budget will have \$178 million for public safety. Since we began together in 1991-92, over 50 million additional dollars on an annual basis (accumulated it is much more than) has been invested in public safety. We are asking, again today, for an additional \$10 million in public safety. Fire and Police services are the most critical services provided by a government. If they are not done well, nothing else works. We would ask the Council's permission to continue to invest in public safety.

Today, remarkably, probably more remarkably than any other city in the country, 61% of this city's total labor force is involved in the activities of public safety. We will, if the Council approves this budget, swear in almost 50 more police officers than we have today. This budget will allow us to increase our street strength even more. The 1998 budget appropriates money for 12 more police officers for 60 total new police officers between now and January.

The goal of our budgets over the years has been to compete out public services, invest the savings in a: public safety and b: in infrastructure. The Building Better Neighborhoods program has produced, when including 1998, almost \$800 million in infrastructure investment, without a property tax increase. You can see that the average of the cities infrastructure investment over the 5 or 6 years prior to 1992 that was \$60 million a year in roads, bridges, streets, sidewalks, sewers. Then, the amount increased dramatically through our Building Better Neighborhoods program, and will still stay at about \$25 million above what it was in 1992.

Although every neighborhood, every community has its request for sidewalks, sewers, streetlights, parks we have not only invested throughout the entire community, we have invested heavily in the most difficult, most stressed neighborhoods. That's because we think our community has a stake in every neighborhood, and the success of this city as a whole depends, in large part upon those neighborhoods that have been neglected for a long period of time. They need opportunities as well. Most of our city parks have been renovated and most of our playgrounds have been redone. Over \$50 million has been invested in the parks, and hundreds of millions in sewers and sidewalks and streets. We will continue to make those investments as well. There are a couple of issues, in particular that we invite the Council's attention to and debate about. The city surplus in the city budget has increased from \$20 million in 1992 to approximately \$100 million today. We have to maintain a prudent balance for credit purposes, for rainy day funds and for bond rating purposes. But, if we end this year with as much money reverting back as we have in the past we think that even if this Council approves this budget, it will have some additional choices to make. In January 1998, that is, whether some amount of these savings should be reinvested in additional roads, bridges, sidewalks, streets and sewers. Or whether some additional amount of this budget should be invested in policing. Or whether additional money should be invested in additional property tax reductions. So, if the budget is fully funded, as is presented to the Council tonight, and if we remain efficient through the end of the year, then there will be some amount of this budget surplus perhaps \$5 to \$10 million that could prudently be invested in property tax cuts, more police

officers or more infrastructure. Those are inherently legislative decisions, and ones that we would invite you to make, but we have funded a budget today that would take us into next year and reserve the question for the surplus issue until the final numbers are in for this year. But I think there will be an opportunity to address these important issues in particular the issue of public safety because I know all of us want more police services on the street as again this is the fundamental responsibility of government.

In conclusion, this budget is very similar to the past. It focuses on doing our core work better and saving dollars and reinvesting those dollars in the areas that I mentioned. The benefits have worked. This issue of property tax reductions is not just political rhetoric, which is why both Republicans and Democrats seem to agree. The issue of property tax reductions is fundamental in creating economic vitality, particularly in the center of the city, where tax imbalances in the last several of years have been enormous. As a result of reducing property taxes, investing in infrastructure and doing our core services better, our economy is thriving at a rate that is really unmatched any time since we have recorded similar statistics. There has been more job creation in the last 4 years than any 4 year period in Indianapolis history, more capital investment the last 4 or 5 years than any period in Indianapolis history, and more home construction the last 4 or 5 years than anytime at least since the Korean War. We have the lowest unemployment rate this year since unemployment rates have been tracked in the city of Indianapolis. The population is growing. So we are doing better, both the city of Indianapolis and its citizens. Obviously, the quality, vitality and the excitement of the city is not in its budget dollars or in its bricks and sticks. And, not even in its public safety. It's in the vitality of its people. It's in the soul of its neighborhoods. We appreciate that the strength of our community is garnered from its people. I think that if this budget is approved, it will show a prudent balance between reserving citizen's money, and investing it in our core and fundamental services. We think there are some provocative questions in the budget, and there are some difficult tradeoffs. We've heard from virtually every one of you about your particular parks interest, for example, all of which are reasonable, but don't all fit in the budget. We have heard the arguments from some of you who believe that we should invest more in infrastructure, and others who believe that we should invest more in public safety. We will be prepared for the discussions at the committee hearings, and very much look forward to your advice on this budget. Thank you very much.

Hon. John von Arx, Auditor

Mr. President, members of the City-County Council, and citizens of Marion County,

Before you is the proposed 1998 operating budget for all County agencies. This is the eighth budget that I've had the privilege to present to you, and as you've heard before, roughly 60% of the entire County budget is dedicated to public safety and criminal justice. It is one of the most important core functions of local government. As with the City budget, the County also provides law enforcement for our citizens through the Sheriff's Office, the Crime Lab, and the Metropolitan Emergency Communications Agency. Unlike the City, County government continues to pay long after the initial arrest. County government is responsible for holding the prisoners, prosecuting the accused, and in many cases, being required to pay for the accused defense counsel. County government is also responsible for the court system which tries the accused.

Prior to the implementation of this 1998 budget on January 1st, the Sheriff's Department will have opened a new medium security jail near the existing facility. This new jail will be capable of holding up to 670 prisoners and will help greatly with the ongoing prisoner over-crowding problem. Managed by Corrections Corporation of America, this dual maximum and medium security facility is less expensive to operate and much less expensive to build than a maximum security jail such as the one on Alabama Street. At this time, the project is on schedule and within budget. Soon the Sheriff's jail will be used only for holding those considered the most threatening to the public's safety.

The 1998 budget supports the County's utilization of the new facility as well as increased Deputy Sheriffs' salaries as negotiated in the current contract. There will also be an addition of 15 new Deputy Sheriffs due to the Sheriff's receipt of a state grant. The Sheriff has also concentrated on saving taxpayers' dollars where efficiencies can be found in order to achieve these goals within the

guideline budget. An example is the move of all merit deputies out of the courts and back on to road patrol while placing special deputies on court duty which significantly reduces court duty overtime costs. However, discussions are still continuing on the issue of funding cost of living adjustments for the retired Deputy Sheriffs' pension benefits. The estimated cost of this change in the pension plan is approximately \$2 million per year. This is coupled with a second area of concern related to jail overcrowding. As you may be aware, the Sheriff is petitioning U.S. District Judge S. Hugh Dillin to eliminate the inmate capacity cap the county has been under since 1975. Should the cap be lifted, the Sheriff has indicated that he could increase jail population by over 600 inmates.

Also in the public safety area and one of the largest liabilities facing Marion County, is our financial responsibility for juveniles committed to state correctional institutions, or what most people refer to as the Boys and Girls Schools. Marion County must pay the state for one half of the state's cost for housing these juveniles from our county. To the best of our knowledge, Indiana is the only state in the country in which counties must pay a portion of the cost for a ward of the state. Over the last three years the costs have increased by an average of \$1 million per year. However, efforts are underway to assemble a joint task force between the State and Marion County to find solutions to this problem.

The Courts have requested over 40 additional probation officers to reduce caseloads. Courts will also be presenting the results of a revenue study, which they committed to provide, as part of the agreement to move probation officer salaries up to the new state mandated minimums. In addition, an effort is underway to investigate the savings that can be generated by privatizing the operations of the juvenile detention center. The process is being conducted in similar fashion to that which produced the economical expansion to the jail, just mentioned. We are hopeful that the combined results of this revenue enhancement and cost reduction will be sufficient to offset the mandated salary increases, as well as the new probation officers.

In the area of information technology, we have two hurdles to jump: year 2000 compliance and hardware/software updating. Regarding year 2000 compliance, a committee has been formed to assess the hardware and software needs within the City-County in order to stay in business on January 1st, 2000. The Information Services Agency has presented the Auditor's Office with a \$2 ½ million request over the guideline to begin updating. The Information Technology Board recommendation was that each agency try to plan to upgrade 1/3rd of their computer inventory each year, with the idea that then everyone's hardware would be 2000 compliant by the year 2000. What still needs to be determined is how the \$2 ½ million in software & hardware updating in 1998 impacts the year 2000 compliance issue and what recommendations ISA has for funding these needs.

A very sensitive and highly critical issue facing the County is that of County employee salaries. As we reported last year, County salaries are considerably behind market value at the midpoint of each range. The budget presented here this evening includes a 3% increase in salary budgets. We are also asking the Job Classification Board and the City-County Council to approve this 3% increase to the Marion County Salary Structure. The County elected officials have committed themselves to look for additional revenues and efficiencies to bring salary levels up to as close to market value as possible. Additionally, a plan will be presented that will further identify distressed agencies. The two largest distressed county agencies are the Marion County Recorder and the Marion County Clerk. These two agencies are suffering twofold: low entry salary levels and very high turnover rates which are creating havoc in everyday operation. Both agencies have been very creative in trying to improve the salaries of their employees. The Marion County Recorder has provided additional salary funds for her office by shifting much of her operating cost to the Recorders Perpetuation Fund and raising additional recording fees, which freed up funds within her County General Fund budget. The Marion County Clerk is also working on a plan which we hope can be presented in their committee budget hearing. It is recommended that the extra funds needed for the distressed agencies should be in addition to the 3% adjustment provided to all agencies.

A review of the progress that has been made in the level of expense for Welfare service for children in Marion County since 1993 shows the efficiencies and savings that can be achieved when all levels of government work together to solve a problem. In 1993 Marion County had to

borrow \$19 million to cover the budget shortfall for the cost of placement of children in institutions. That year the county spent more than \$32 million on out of home placements of children. As you know, an effort involving my office, the Juvenile Court, the Mayor's Office, and the State Welfare Agency was formed. That group found the solution to the escalating costs. By redirecting the effort of the various agencies toward family preservation at the front end rather than merely finding institutions to care for the children at the back end, the projected expense for 1997 for children in institutions should fall to around \$21 million.

Last year the tax levy for the Welfare Family and Children Fund dropped nearly \$13 million as a result of savings that have been generated and increased reimbursements that have been realized. Preliminary discussions with the staff at the Marion County Office of Family and Children indicate that a reduction in the area of \$2 million in the tax levy for 1998 should be possible.

The example cited above should be used as a guide to solving the problem that currently exists with the expense of sending delinquent juveniles to the State's Boys School. Remember, those expenses continue to increase at the rate of more than \$1 million a year. An innovative solution has to be found to start bringing those costs under control.

The total 1998 proposed Marion County Budget for all funds is \$181,213,513.00. The budget for the County General Fund is balance with expenditures of \$138,713,236.00 and revenues totaling \$138,820,270.00

Despite all of the serious challenges I have mentioned this evening, the 1998 Marion County Budget initiatives are now in place with NO increase in the property tax rate, with NO increase in the County Option Income Tax rate, and without digging into the County General Fund balance, which is necessary to insure our financial stability. How has this happened? The answer is simple, although it took a lot of hard work to achieve. The County Elected Officials, County Agency heads, and the City-County Council have worked long and hard together to fashion a plan which is now in place ready to carry the finances of the County securely into the twenty-first century.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, August 4, 1997, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

July 21, 1997

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, July 23, 1997 and in the *Indianapolis Star* or the *Indianapolis News* on Thursday, July 24,

August 4, 1997

1997, a copy of a Notice of Public Hearing on Proposal Nos. 459, 463-468, 494, and 495, 1997, said hearing to be held on Monday, August 4, 1997, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

July 23, 1997

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* or the *Indianapolis News* on Friday, July 25, 1997, a copy of a Notice of Public Hearing on Proposal No. 510, 1997, said hearing to be held on Monday, August 4, 1997, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

July 22, 1997

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

On July 22, 1997, I approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinance:

SPECIAL ORDINANCE NO. 9, 1997 - a special ordinance for Kingsmill Venture, L.P. authorizing the issuance of variable/fixed multi-family housing revenue bonds in an amount not to exceed \$15,000,000 to acquire and rehabilitate the existing 192 unit multi-family residential facility currently known as Emerald Green Apartments plus the construction and equipping of an additional 192 multi-family residential units, all located at 6363 Commons Drive (District 1)

And on July 25, 1997, I approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

FISCAL ORDINANCE NO. 60, 1997 - approves an increase of \$48,000 in the 1997 Budget of the Superior Court, Juvenile Division (State and Federal Grants Fund) to fund Child Advocates, Inc. for the fiscal year 1997/1998

FISCAL ORDINANCE NO. 61, 1997 - approves an increase of \$24,000 in the 1997 Budget of the Superior Court, Juvenile Division (State and Federal Grants Fund) to continue the Big Sisters program for the 1997/1998 fiscal year

FISCAL ORDINANCE NO. 62, 1997 - approves an increase of \$54,739 in the 1997 Budget of Superior Court, Juvenile Division (State and Federal Grants Fund) to fund the Southside Youth Council

FISCAL ORDINANCE NO. 63, 1997 - approves an increase of \$250,000 in the 1997 Budget of the Marion County Justice Agency (Law Enforcement Fund) to pay salaries and fringe benefits for personnel working with forfeitures

FISCAL ORDINANCE NO. 64, 1997 - approves a transfer of \$40,000 in the 1997 Budget of the Forensic Services Agency (County General Fund) to acquire the necessary supplies to accommodate increasing evidence submissions

GENERAL ORDINANCE NO. 118, 1997 - establishes procedures for adoption of rules and regulations and requiring the codification of all rules and regulations

SPECIAL ORDINANCE NO. 10, 1997 - elects to fund MECA operations in calendar year 1998 with \$2 million of COIT revenue

SPECIAL RESOLUTION NO. 54, 1997 - recognizes George H. Lynch

SPECIAL RESOLUTION NO. 55, 1997 - recognizes James H. Steele

SPECIAL RESOLUTION NO. 56, 1997 - recognizes the lifetime of generous public spirit by Dwight L. Cottingham

SPECIAL RESOLUTION NO. 57, 1997 - recognizes Sharon Wilson

SPECIAL RESOLUTION NO. 58, 1997 - recognizes the Children of the American Revolution patriotic organization

SPECIAL RESOLUTION NO. 59, 1997 - authorizes the newly appointed City Controller to sign Public Employees' Retirement Fund (PERF) documents on behalf of the City

SPECIAL RESOLUTION NO. 60, 1997 - approves the lease of office space located at 9245 North Meridian Street for use by the Marion County Cooperative Extension Service

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of July 21, 1997. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 526, 1997. The proposal, sponsored by Councillors Gilmer, SerVaas, and Gray, recognizes 1997 Marion County Athlete of the Year Jeremy Allen of Pike Township High School. Councillor Gilmer read the proposal and presented Mr. Allen with a copy of the document and a Council pin. Councillor Gilmer moved, seconded by Councillor Gray, for adoption. Proposal No. 526, 1997 was adopted by a unanimous voice vote.

Proposal No. 526, 1997 was retitled SPECIAL RESOLUTION NO. 61, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 61, 1997

A SPECIAL RESOLUTION recognizing 1997 Marion County Athlete of the Year Jeremy Allen of Pike Township High School.

WHEREAS, Jeremy Allen of Pike Township High School dominated the talent-rich Indianapolis boys track and field scene like no one else in many years while he was en route to earn state titles in both discus and shot put events; and

WHEREAS, Jeremy is Pike's first outright County Male Athlete of the Year recipient since the honor was introduced in 1950 when Truman was President; and

WHEREAS, he is a smiling and upbeat person, and adds the Indiana High School Athletic Association's Mental Attitude Award alongside his state shot put and discus record-setting titles; and

August 4, 1997

WHEREAS, given strong support by his loving parents and Coaches Dave Hoffman and Lamont Williams, Jeremy shattered track and field records in the school, city and state—while also playing on the school's football team and maintaining a solid "B" grade point average; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates outstanding Pike Township High School record-breaking athlete Jeremy Allen.

SECTION 2. The Council wishes him well in the future at the University of Iowa where Jeremy will become a member of both the college football, and track and field, teams.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 527, 1997 The proposal, sponsored by Councillors Gilmer, SerVaas, and Gray, recognizes the Pike Township High School Lady Red Devils 1997 state champion track team. Councillor Gilmer read the proposal and presented team representatives with copies of the document and Council pins. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 527, 1997 was adopted by a unanimous voice vote.

Proposal No. 527, 1997 was retitled SPECIAL RESOLUTION NO. 62, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 62, 1997

A SPECIAL RESOLUTION recognizing the Pike Township High School Lady Red Devils state champion track team.

WHEREAS, the 1997 Pike Township High School's Lady Red Devils girls track and field team won every meet they entered this Spring and Summer, including the state championship game; and

WHEREAS, the regular season produced winning scores of the magnitude of 93-30, 72-16, 92-14, and the Lady Red Devils won every invitational, then concluded with team victories in the County, Sectional, Regional and finished the State Finals by edging out Gary Wallace High School by one point; and

WHEREAS, all of the graduating seniors are going on to college; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the 1997 state track and field champion Lady Red Devils of Pike Township High School.

SECTION 2. The Council specifically salutes team member seniors: Jill Allen, Tia Joseph, Denise McDonald, Melanie Moore, Asjah Muhammad, Ayesha Muhammad, Tiffany Turner and Stephanie Young, juniors: Jennifer Ewing, Christie Luther, Qiana Miller, Nici Nicholson, LaTisha Perry, Lauren Price and Tracy Tawiah, sophomores: Andrea Adams, Tierra Barnes, Amber Campbell, Stephanie Cheers, Khia Cooke, Lindsey Fuller, Deleah Goodwin, Keauna Havvard, Lindsey Kreamer, Patrice Nye, Missy Sumner, Erica Thurman, Katrina Walker, Bridget Whelihan and April Young, and freshmen: Melissa Brown, Candice Broadus, Jontia Clayton, Rebecca Holden, Shelda Iverson, Alana Johnson, Sheila Pride and Cortney Smith.

SECTION 3. Also contributing to the outstanding year were Head Track Coach Wayne Angel, the supportive parents of these winning team members and the strong encouragement by Pike's faculty and students and friends..

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 528, 1997. The proposal, sponsored by Councillor Hinkle, recognizes the public service of Jon Meeks. Councillor Hinkle read the proposal and presented Mr. Meeks with a copy of the document and a Council pin. Mr. Meeks thanked the Council for this honor and recognized his wife, Carol. Councillor Hinkle moved, seconded by Councillor Gilmer, for adoption. Proposal No. 528, 1997 was adopted by a unanimous voice vote.

Proposal No. 528, 1997 was retitled SPECIAL RESOLUTION NO. 63, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 63, 1997

A SPECIAL RESOLUTION recognizing the public service of Jon Meeks.

WHEREAS, Jon Meeks is a native of Farmland, Indiana, in Randolph County, and received his undergraduate degree from Butler University and graduate degree in Geography from Ball State University; and

WHEREAS, he served his country with distinction in the United States Air Force and came to work for the City of Indianapolis in August, 1972, the year when Nixon became the first seated U.S. President to ever visit Mainland China, and locally, Michael Carroll headed the city's Department of Metropolitan Development; and

WHEREAS, Jon became Administrator of DMD's Division of Planning and was well recognized as the central place to go for statistics and demographic information about Indianapolis and Marion County; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes Jon Meeks for his quarter century of dedicated and professional public service to the people of this city.

SECTION 2. The Council wishes Jon well in his retirement, and hopes that he will be able to spend much quality time with his wife Carol, and their two sons Tim and Tony.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 529, 1997. The proposal, sponsored by Councillor Talley, welcomes the World War II Tuskegee Airmen to Indianapolis. Councillor Talley read the proposal and stated that presentation would be made next week. Councillor Talley moved, seconded by Councillor Short, for adoption. Proposal No. 529, 1997 was adopted by a unanimous voice vote.

Proposal No. 529, 1997 was retitled SPECIAL RESOLUTION NO. 64, 1997, and reads as follows:

August 4, 1997

CITY-COUNTY SPECIAL RESOLUTION NO. 64, 1997

A SPECIAL RESOLUTION welcoming the World War II Tuskegee Airmen to Indianapolis.

WHEREAS, Tuskegee Institute in Alabama was founded by Booker T. Washington in 1881, but during the summer of 1941 as the United States was only months away from being drawn into World War II, the U.S. Army Air Corps needed pilots fast, and Tuskegee's airfield became the training location for the first all-Black 99th Squadron; and

WHEREAS, even under the rampant discrimination and segregation practices of the day, the young African-Americans proceeded with their training, and the first graduating class of five Tuskegee pilots in 1942 included a Hoosier, Charles Debow, Jr.; and

WHEREAS, during the war Tuskegee trained over 900 pilots, many of whom went to serve with distinction in North Africa, Sicily, Italy and other assignments in the European Theater; and

WHEREAS, their patriotism, sacrifice, skill, pride and chin-up attitude helped pave the way for the President to sign Executive Order No. 9981 in 1948 that ordered the end of racial segregation in the U.S. military forces; and

WHEREAS, in 1973, the Tuskegee Airmen, Inc. organization was founded to help inspire, motivate and stimulate young Americans to pursue their dreams in the field of aviation and aerospace, and backed it up with the Tuskegee Airmen's Scholarship Fund; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the proud history and current relevance of the Tuskegee Airmen, and welcome them to Indianapolis for their annual convention on August 11-17th, 1997, at the Westin Hotel.

SECTION 2. The Council hopes that all the planning and hard work of the Tuskegee Airmen, Inc., Indianapolis Chapter affords a very educational, emotionally rewarding and enjoyable experience for these distinguished veterans and their families.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 512, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which is the annual budget for the Police Special Service District for 1998"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 513, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which is the annual budget for the Fire Special Service District for 1998"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 514, 1997. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Solid Waste Collection Special Service District Fiscal Ordinance which is the annual budget for the Solid Waste Collection Special Service District for 1998"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 515, 1997. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Revenue Bonds Debt Service Funds for 1998"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 516, 1997. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Marion County Office of Family and Children for 1998"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 517, 1997. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Metropolitan Emergency Communications Agency for 1998"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 518, 1997. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for Indianapolis and Marion County for 1998"; and the President referred it to the Administration and Finance Committee, Capital Asset Management Committee, Community Affairs Committee, Metropolitan Development Committee, Parks and Recreation Committee, Public Safety and Criminal Justice Committee, and Public Works Committee.

PROPOSAL NO. 519, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$12,400 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide funds for a part-time staff person for the Indiana Victim Assistance Network funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 520, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$37,500 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide funding to Breaking Free, a program to provide long-term support services for victims and families of victims of domestic violence, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 521, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$66,708 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide the Julian Center with funding to develop and implement a trauma counseling service for their current residents funded by the S.T.O.P. Violence Against Women Program through the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 522, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$102,992 in the 1997 Budgets of the Prosecuting Attorney and County Auditor (State and Federal Grants Fund) to continue funding of the Adult Protective Services Division which provides services to Marion, Hamilton, Boone, and Hendricks Counties funded by a grant under the Older Americans Act

through the Family and Social Services Administration"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 523, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$17,000 in the 1997 Budget of the Clerk of the Circuit Court and County Sheriff (County General Fund) to move the responsibility for bail bond processing from the Clerk to the Sheriff"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 524, 1997. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which concerns school zones"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 525, 1997. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which concerns the Indianapolis Public Transportation Corporation Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 530, 1997. Introduced by Councillor Bradford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Chester Avenue and 75th Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 533, 1997. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves an increase of \$4 million in the Capital Improvement Board of Managers' 1997 budget for land acquisition"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 534, 1997. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$350,000 in the 1997 Budget of the Department of Metropolitan Development, Division of Community Development and Human Services (Federal Grants Fund) to acquire land which will directly benefit low/moderate income families"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 531, 1997 and PROPOSAL NO. 532, 1997. Introduced by Councillor Hinkle. Proposal No. 531, 1997 and Proposal No. 532, 1997 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on July 23 and July 30, 1997. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 145 and 146, 1997, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 145, 1997.
97-Z-100 (97-DP-5)
5601 CHURCHMAN AVENUE (approximate address), CITY OF BEECH GROVE.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

M. I. SCHOTTENSTEIN HOMES, INC., by Thomas Michael Quinn, requests a rezoning of 27.0 acres, being in the D-3 (FF)(FW) Districts, to the D-P(FF)(FW) classification to provide for the construction of a planned unit development consisting of 78 single-family lots and a common area.

REZONING ORDINANCE NO. 146, 1997.

97-Z-123

8649-8707 SHELBY STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20

WHITE RIVER DEVELOPMENT GROUP, INC., by James B. Burroughs, requests a rezoning of 19.5 acres, being in the D-A District, to the HD-2 classification to provide for hospital related uses such as an independent and assisted care living community.

The President asked for consent to move the zoning public hearing next on the agenda. Consent was given.

SPECIAL ORDERS - ZONING PUBLIC HEARING

PROPOSAL NO. 510, 1997. The proposal rezones 30 acres at 4505 South Meridian Street from DA to D-6II to provide for attached multifamily residential (District 25) (97-Z-59). Proposal No. 510, 1997 was certified by the Metropolitan Development Commission on July 18, 1997. On July 21, 1997 Councillor Borst moved to schedule Proposal No. 510, 1997 for a public hearing on August 4, 1997. This motion passed by a unanimous voice vote.

The President said that Robert Elrod, General Counsel, advised him that a preliminary conference was held on July 30, 1997 with the petitioners and remonstrators and there was no resolution of the matter at that time.

Councillor Borst stated that the petitioner wishes to develop the 30 acres into an apartment building. He stated that the neighborhood is against the development due to traffic problems which may be created and the already over-abundance of apartment complexes in the community.

Stephen Mears stated that he represents SC Bodner Company, Inc., which is the petitioner in this case. Mr. Mears stated that the development had been approved by the Metropolitan Development Commission. The property is currently zoned as agricultural. He stated that 10 units per acre is an acceptable standard in developments and that the petitioner has agreed to develop no more than 300 residential units.

State Representative Dave Frizzell stated that the neighbors know what is best suited to their community, and that they are opposed to this development because of the traffic congestion it will cause.

Marc Yeager, President of the Southdale Civic League, asked neighbors against this development to stand. He presented a map showing the existing apartment complexes within a 15-mile radius of the proposed development. He stated that the Comprehensive Plan proposes zoning of this property as an office complex. The residents are in favor of this concept as it would bring more jobs to the community. He presented traffic statistics and stated that the residents feel this development will devalue their property.

August 4, 1997

Mr. Mears stated that a traffic report provided by the Department of Capital Asset Management and the Department of Metropolitan Development does not show that an adverse traffic situation will be created due to such a development on this site. He added that the petitioners have compromised at great length and agreed to 19 commitments at the request of the remonstrators. He said that the remonstrators simply do not want the land developed.

Mr. Yeager stated that the residents are not opposed to development of the site, providing the use would not devalue adjacent property and therefore affect home ownership. He provided photographs of a current development of the petitioner in LaGrange, Indiana, and stated that the proposed facility is of poor quality.

Councillor Williams asked how this development will affect home ownership. Greg Ewing, planner for the Department of Metropolitan Development, stated that home ownership information and incentive was taken into consideration during the comprehensive planning process, and the affect on home owners was reviewed in determining land use. Mr. Yeager stated that people do not wish to own homes in areas that are overpopulated and congested with traffic.

Councillor McClamroch asked if the property is currently zoned for single-family residential. Mr. Yeager stated that the property is currently zoned for either agricultural use or single-family residential, not multi-family. However, the Comprehensive Plan provides for a rezoning to commercial use district, to be developed as an office complex.

Councillor Borst stated that this community cares about their neighborhood and urged the Council to oppose this development.

The President reminded the Councillors that under Council rules the vote to sustain the Commission's approval to rezone this property will take 12 yes votes; to reject will take 18 no votes. The Commission's decision was rejected, and Proposal No. 510, 1997 failed by the following roll call vote; viz:

3 YEAS: Moores, O'Dell, Schneider

25 NAYS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

1 ABSENT: Moriarty Adams

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 430, 1997. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 430, 1997 on June 25, 1997, and it was postponed in Council on June 21, 1997 until August 4, 1997. The proposal approves an increase of \$31,200 in the 1997 Budget of the Superior Court, Juvenile Division (State and Federal Grants Fund) to fund Project Impact (purchase of vehicles) for fiscal year 1997/1998. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:08 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 430, 1997 was adopted on the following roll call vote; viz:

16 YEAS: Black, Boyd, Bradford, Brents, Coughenour, Dowden, Golc, Hinkle, McClamroch, O'Dell, Schneider, SerVaas, Shambaugh, Smith, Talley, Tilford
9 NAYS: Cockrum, Coonrod, Curry, Franklin, Gilmer, Jones, Massie, Moores, Williams
3 NOT VOTING: Borst, Gray, Short
1 ABSENT: Moriarty Adams

Proposal No. 430, 1997 was retitled FISCAL ORDINANCE NO. 66, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 66, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Thirty-one Thousand Two Hundred Dollars (\$31,200) in the State and Federal Grants Fund for purposes of the Superior Court, Juvenile Division and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (cc) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Courts, Juvenile Division, Project Impact.

SECTION 2. The sum of Thirty-one Thousand Two Hundred Dollars (\$31,200) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>SUPERIOR COURT, JUVENILE DIVISION</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
4. Capital Outlay	<u>31,200</u>
TOTAL INCREASE	31,200

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	<u>31,200</u>
TOTAL REDUCTION	31,200

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 462-468, 1997 on July 23, 1997. All proposals passed unanimously out of committee with a recommendation that they do pass. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 462, 1997. The proposal approves a transfer of \$30,537 in the 1997 Budget of the County Sheriff (County General Fund) to correct Fiscal Ordinance No. 35, 1997, which appropriated funds in the wrong character. PROPOSAL NO. 463, 1997. The proposal approves

an increase of \$93,500 in the 1997 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to continue the Center of Hope Grant to Wishard Hospital funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 464, 1997. The proposal approves an increase of \$21,200 in the 1997 Budgets of the Prosecuting Attorney and County Auditor (State and Federal Grants Fund) to continue the Adult Protective Services Program funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 465, 1997. The proposal approves an increase of \$3,148,055 in the 1997 Budgets of the County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Superior Court (Deferral Program Fee Fund) to pay expenses of the agencies and transfer funds to the Alcohol and Drug Services Fund and Diversion Fund financed from deferral fees. PROPOSAL NO. 466, 1997. The proposal approves an increase of \$35,000 in the 1997 Budget of the Marion County Superior Court (State and Federal Grants Fund) to fund a Victim Assistance Program funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 467, 1997. The proposal approves an increase of \$28,078 in the 1997 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to fund the Respite Care Program for Children in residence at the Julian Center Shelter funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 468, 1997. The proposal approves an increase of \$294,000 in the 1997 Budgets of the County Auditor, County Sheriff, Community Corrections, and Marion County Justice Agency (County Corrections Fund) to provide for the diversion of misdemeanor populations from the state facilities funded by the State of Indiana.

The President called for public testimony at 9:25 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal Nos. 462-468, 1997 were adopted by the following roll call vote; viz:

26 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Tilford, Williams

0 NAYS:

2 NOT VOTING: Smith, Talley

1 ABSENT: Moriarty Adams

Proposal No. 462, 1997 was retitled FISCAL ORDINANCE NO. 73, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 73, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) transferring and appropriating an additional Thirty Thousand Five Hundred Thirty-seven Dollars (\$30,537) in the County General Fund for purposes of the County Sheriff and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(y) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to correct Fiscal Ordinance No. 35, 1997.

SECTION 2. The sum of Thirty Thousand Five Hundred Thirty-seven Dollars (\$30,537) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>30,537</u>
TOTAL INCREASE	30,537

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>30,537</u>
TOTAL DECREASE	30,537

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 463, 1997 was retitled FISCAL ORDINANCE NO. 67, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 67, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Ninety-three Thousand Five Hundred Dollars (\$93,500) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(v) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to continue the Center of Hope Grant to Wishard Hospital.

SECTION 2. The sum of Ninety-three Thousand Five Hundred Dollars (\$93,500) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and charges	<u>93,500</u>
TOTAL INCREASE	93,500

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>93,500</u>
TOTAL REDUCTION	93,500

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 464, 1997 was retitled FISCAL ORDINANCE NO. 68, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 68, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Twenty-one Thousand Two Hundred Dollars (\$21,200) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,v) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Prosecuting Attorney to continue the Adult Protective Services Program.

SECTION 2. The sum of Twenty-one Thousand Two Hundred Dollars (\$21,200) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - Fringes	2,000
 <u>PROSECUTING ATTORNEY</u>	
1. Personal Services	8,000
3. Other Services and Charges	7,500
4. Capital Outlay	<u>3,700</u>
TOTAL INCREASE	21,200

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>21,200</u>
TOTAL REDUCTION	21,200

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 465, 1997 was retitled FISCAL ORDINANCE NO. 69, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Three Million One Hundred Forty-eight Thousand Fifty-five Dollars (\$3,148,055) in the Deferral Program Fee Fund for purposes of the County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Superior Court and reducing the unappropriated and unencumbered balance in the Deferral Program Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,v,y,cc) of the City-County Annual Budget for 1997 be, and is hereby,

amended by the increases and reductions hereinafter stated for purposes of the County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Superior Court to pay expenses of the agencies and transfer funds to the Alcohol and Drug Services Fund and Diversion Fund.

SECTION 2. The sum of Three Million One Hundred Forty-eight Thousand Fifty-five Dollars (\$3,148,055) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
1. Personal Services - Fringes	187,500
3. Other Services and Charges	1,133,055
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	650,000
3. Other Services and Charges	692,500
4. Capital Outlay	50,000
<u>COUNTY SHERIFF</u>	
2. Supplies 100,000	
3. Other Services and charges	130,000
4. Capital Outlay	5,000
<u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	100,000
2. Other Services and Charges	50,000
3. Capital Outlay	<u>50,000</u>
TOTAL INCREASE	3,148,055

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>DEFERRAL PROGRAM FEE FUND</u>
Unappropriated and Unencumbered	
Deferral Program Fee Fund	<u>3,148,055</u>
TOTAL REDUCTION	3,148,055

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 466, 1997 was retitled FISCAL ORDINANCE NO. 70, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 70, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Thirty-five Thousand Dollars (\$35,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(cc) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to fund a victim Assistance program.

SECTION 2. The sum of Thirty-five Thousand Dollars (\$35,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>35,000</u>
TOTAL INCREASE	35,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	<u>35,000</u>
TOTAL REDUCTION	35,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 467, 1997 was retitled FISCAL ORDINANCE NO. 71, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 71, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Twenty-eight Thousand Seventy-eight Dollars (\$28,078) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(bb) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to fund the Respite Care Program for children in residence at the Julian Center Shelter.

SECTION 2. The sum of Twenty-eight Thousand Seventy-eight Dollars (\$28,078) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>28,078</u>
TOTAL INCREASE	28,078

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	<u>28,078</u>
TOTAL REDUCTION	28,078

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 468, 1997 was retitled FISCAL ORDINANCE NO. 72, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 72, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Two Hundred Ninety-four Thousand Dollars (\$294,000) in the County Corrections Fund for purposes of the County Auditor, County Sheriff, Community Corrections, and Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the County Corrections Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,y,z,bb) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor, County Sheriff, Community Corrections, and Marion County Justice Agency to provide for the diversion of misdemeanor populations.

SECTION 2. The sum of Two Hundred Ninety-four Thousand Dollars (\$294,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY CORRECTIONS FUND</u>
1. Personal Services - Fringes	4,000
<u>COUNTY SHERIFF</u>	
3. Other Services and Charges	179,319
<u>COMMUNITY CORRECTIONS</u>	
3. Other Services and charges	94,681
<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	16,000
TOTAL INCREASE	294,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY CORRECTIONS FUND</u>
Unappropriated and Unencumbered	
County Corrections Fund	294,000
TOTAL REDUCTION	294,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 459, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 459, 1997 on July 28, 1997. The proposal, sponsored by Councillor Smith, approves an increase of \$208,550 in the 1997 Budget of the County Recorder (County Recorder's Perpetuation Fund) to pay off the computer system that is currently on a lease purchase agreement and to purchase a scanner and plotter that will record plats on line financed by fund balance. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:30 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 459, 1997 was adopted on the following roll call vote; viz:

26 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Tilford, Williams

0 NAYS:

2 NOT VOTING: Smith, Talley

1 ABSENT: Moriarty Adams

Proposal No. 459, 1997 was retitled FISCAL ORDINANCE NO. 74, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 74, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Two Hundred Eight Thousand Five Hundred Fifty Dollars (\$208,550) in the County Recorder's Perpetuation Fund for purposes of the County Recorder and reducing the unappropriated and unencumbered balance in the County Recorder's Perpetuation Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(h) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Recorder to pay off the computer system that is currently on a lease purchase agreement and to purchase a scanner and plotter that will record plats on line.

SECTION 2. The sum of Two Hundred Eight Thousand Five Hundred Fifty Dollars (\$208,550) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY RECORDER</u>	<u>COUNTY RECORDER'S PERPETUATION FUND</u>
4. Capital Outlay	<u>208,550</u>
TOTAL INCREASE	208,550

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY RECORDER'S PERPETUATION FUND</u>
Unappropriated and Unencumbered	
County Recorder's Perpetuation Fund	<u>208,550</u>
TOTAL REDUCTION	208,550

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Shambaugh reported that the Parks and Recreation Committee heard Proposal Nos. 494-496 and 502, 1997 on July 23, 1997. He asked for consent to vote on these proposals together.

Councillor Bradford stated that he has a conflict of interest with two of these proposals and asked if they could be voted on separately. The President asked Councillor Shambaugh to present the proposals as a whole, but stated that separate votes will be taken on each proposal.

PROPOSAL NO. 494, 1997. The proposal allows the advance refunding and issuance of new Parks Project Revenue Bonds (Brookville/Senour Economic Development Area). PROPOSAL NO. 495, 1997. The proposal allows the advance refunding and issuance of new Parks Project Revenue Bonds (Coffin Municipal Golf Course). PROPOSAL NO. 496, 1997. The proposal authorizes the Parks Department to enter into a management contract for Coffin Golf Course with Gray Eagle Golf, LLC. PROPOSAL NO. 502, 1997. The proposal amends the Revised Code concerning the Park Project Revenue Fund. By 5-1 votes, the Committee reported Proposal Nos. 494, 495, and 502, 1997 to the Council with the recommendation that they do pass. By a 7-0 vote, the Committee reported Proposal No. 496, 1997 to the Council with the recommendation that it do pass.

Councillor Golc asked how the management contract with Gray Eagle Golf, LLC will be funded. Ray Wallace, Parks Department Director, stated that the revenues from Coffin Golf Course will cover management fees. Councillor Golc asked if resources from other parks will be used to secure these bonds. Mr. Wallace responded that they will not. Councillor Golc asked why there was only one response to the Request For Proposal (RFP) on this management contract. Mr. Wallace stated that there was sufficient time allowed for bids, and does not know why no other bids were submitted. Councillor Gray stated that others had intended to bid on the contract, but the offer submitted was something that could not be matched, and so the other bidders dropped out.

Councillor McClamroch stated that he will abstain on all four proposals due to a conflict of interest.

Councillor Williams stated that she feels the profit line should be analyzed regarding golf courses and community centers during the budget process. She added that in view of granting bonds to these projects, the Council should examine their priorities in considering bonds for public libraries.

Councillor Gray stated that these monies are not being taken away from community center projects and that the golfers ultimately pay for their own program.

Councillor Black suggested that the Parks Department organize teams to enter the Scarborough Games. Mr. Wallace stated that the department is looking to re-vamp the program for 1998.

The President called for public testimony at 9:37 p.m. There being no one present to testify, Councillor Shambaugh moved, seconded by Councillor Gray, for adoption.

Proposal No. 494, 1997 was adopted on the following roll call vote; viz:

23 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coughenour, Curry, Franklin, Gilmer, Gray, Jones, Massie, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams
4 NAYS: Coonrod, Dowden, Golc, Hinkle
1 NOT VOTING: McClamroch
1 ABSENT: Moriarty Adams

Proposal No. 494, 1997 was retitled SPECIAL ORDINANCE NO. 11, 1997, and reads as follows:

August 4, 1997

CITY-COUNTY SPECIAL ORDINANCE NO. 11, 1997

A SPECIAL ORDINANCE of the City of Indianapolis, Indiana (the "City") and the County of Marion, Indiana (the "County") concerning the advance refunding by the City of its City of Indianapolis Parks Project Revenue Bonds Series 1994 A, dated June 1, 1994 ("Series 1994 Bonds"), the issuance and sale of special revenue bonds to pay the costs thereof, the collection, segregation and distribution of the Revenues (as hereinafter defined), the safeguarding of the interests of the owners of the special revenue bonds, and other matters connected therewith, including repealing ordinances inconsistent herewith.

WHEREAS, on August 5, 1987 the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis (the "Commission") adopted the Brookville/Senour Economic Development Area Declaratory Resolution, Resolution No. 87-185 (the "Declaratory Resolution"), declaring a certain area within the Indianapolis Redevelopment District as an economic development area pursuant to Indiana Code 36-7-15.1-28, designating such area as the Brookville/Senour Economic Development Area (the "Economic Development Area") and approving an economic development area plan designated as the Brookville/Senour Economic Development Area Plan; and

WHEREAS, on August 19, 1987 the Commission, after giving notice as required by law and holding a public hearing on the Declaratory Resolution, adopted the Brookville/Senour Economic Development Area confirmatory Resolution, Resolution No. 87-193 confirming the Declaratory Resolution; and

WHEREAS, on October 26, 1987, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council") adopted City-Council Special Ordinance No. 17, 1987, approving the designation of the Economic Development Area as established by the Commission under the Declaratory Resolution and the Confirmatory Resolution; and

WHEREAS, the Department of Parks and Recreation of the City ("Department") borrowed certain funds in order to acquire property and construct a nine hole golf course and golf related facilities at the Whispering Hills Municipal Golf Course ("Golf Course") located within the Economic Development Area; and

WHEREAS, the City issued its Series 1994 Bonds to repay the funds previously borrowed by the Department for the Golf Course; and

WHEREAS, the City-County Council now finds that the Series 1994 Bonds should be refunded in order to eliminate certain of the restrictions and covenants imposed on the City in the operation, maintenance and improvement of certain of its municipally owned golf courses; that the refunding of the Series 1994 Bonds in advance of their stated maturity dates, together with accrued interest thereon and including all costs related to the refunding (the "Refunding") cannot be provided for out of funds of the Department or City now on hand and the Refunding should be accomplished by the issuance of special revenue bonds (the "Bonds"), payable solely from sources and in the manner provided for herein; and

WHEREAS, in furtherance of such purposes, the City is authorized by Indiana Code 5-1-5, 5-1-6, 5-1-14, 36-1-4-9, 36-3-1 and 36-10-4, to borrow money, issue bonds and provide for their payment; and

WHEREAS, the City-County Council now finds that the Refunding is necessary and will be of general benefit to the City and its citizens; and

WHEREAS, the City-County Council finds that it is advisable to issue its Bonds in an original aggregate principal amount not to exceed \$3,600,000 and to use the proceeds, together with funds on hand to accomplish the Refunding, and to pay for all costs related to the Refunding and the issuance of the Bonds hereunder; and

WHEREAS, IC 5-1.4 provides that a "qualified entity," which term includes the City, may issue and sell its bonds to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Bonds in a negotiated sale subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the City-County Council has determined that it will be in the best interest of the City to sell the Bonds to the Bond Bank in a negotiated sale; and

WHEREAS, the City-County Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of the Bonds have been complied with in accordance with the provisions of the Act hereinafter referred to; now, therefore,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Purpose of Issuance. The City, being the owner of and engaged in operating, through the Department, the Golf Course, now finds it necessary to provide funds to accomplish the Refunding and cause the Series 1994 Bonds to be surrendered and cancelled or to be paid solely from amounts to be held in the Escrow Agreement, as hereinafter described. The Refunding will allow the City to eliminate certain of the restrictions and covenants imposed on the City in the operation, maintenance and improvement of certain of its municipally owned golf courses.

The term "Act" where used in this Ordinance shall be construed to mean Indiana Code 5-1-5, 5-1-6, 5-1-14, 36-1-4-9, 36-3-1 and/or 36-10-4 and other applicable laws as in effect on the issue date of the obligations authorized herein.

SECTION 2. Bond Authorization. The City shall issue its special revenue obligations in an aggregate original principal amount not to exceed \$3,600,000 to be designated "City of Indianapolis, Indiana Parks Project Revenue Refunding Bonds" [with the year and any series or other references added, revised or removed as appropriate] (the "Bonds") for the purpose of procuring funds to apply to the Refunding, the payment of costs of issuance, and all other costs related to the Refunding. The City shall apply moneys currently held and subject to a lien in favor of the Series 1994 Bonds to the Refunding and other accounts as provided in Section 7 herein.

The Bonds shall be sold at par or with a discount (excluding original issue discount) which does not exceed three percent (3%) (with the exact discount to be negotiated with the Bond Bank by the Controller of the City or any person duly appointed to act in such officer's place and stead with regard to the issuance of the Bonds ["City Controller"]); shall be issued in fully registered form in denominations of not less than One Hundred Thousand Dollars (\$100,000) and in any integral multiple of Five Thousand Dollars (\$5,000) in excess thereof, numbered consecutively from R-1 up, and originally dated as of the date of delivery to the Bond Bank; and shall bear interest at a rate or rates not exceeding 8 percent per annum (expressed as the net interest cost of the Bonds inclusive of any original issue discount and with the exact rate for each individual maturity shall be negotiated with the Bond Bank by the City Controller), with such interest payable on January 15 and July 15 in each year, beginning no later than either the next January 15 or July 15 following the issuance of the Bonds (with the specific date to be determined by the City Controller prior to the issuance of the Bonds). Interest shall be calculated based on a 360-day calendar year containing twelve 30-day months. Principal shall be payable in lawful money of the United States of America, at the principal office of the Paying Agent (as hereinafter defined), and such Bonds shall mature annually or semi-annually (in amounts to be determined through negotiations) in numerical order on January 15 (or if determined to be semi-annually by the City Controller prior to the issuance of the Bonds, then on January 15 and July 15) of each year beginning no sooner than 1998 and ending no later than July 15, 2017 (as determined by the City Controller prior to the issuance of the Bonds) and in such amounts as are approved as authorized herein.

SECTION 3. Execution, Payment and Transfer Terms. The Bonds shall be signed in the name of the City by manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile signature of the Clerk of the City-County Council ("Clerk"), who shall (if existing) affix the seal of the City to each of the Bonds manually or shall have the seal imprinted or impressed thereon by facsimile or any other means. Such officers or officials, by the signing of the Bonds (whether by their manual or facsimile signature) and a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures their facsimile signatures appearing on the Bonds and such acknowledgment shall constitute conclusive evidence that such officer or official approved the terms of the Bonds, after receiving the advice of the City's counsel, as and to the extent required to fix the terms thereof in a manner consistent with the authorization provided under this Ordinance. In case any officer or official whose signature appears on the Bonds shall cease to be such officer or official before the delivery of such Bonds, his or her signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or official had remained in office until such delivery.

The City Controller is hereby designated the registrar and paying agent for the Bonds (the "Registrar" or "Paying Agent") and is hereby charged with the responsibility of authenticating and providing for the registration, exchange and transfer of the Bonds. A qualified institution may be appointed by the City Controller to perform all or some portion of the duties of the Registrar or Paying Agent for the Bonds. The City Controller is hereby authorized to enter into such agreements or understandings with such institution as will enable the institution to perform the services required of a Registrar and Paying Agent. The City Controller may further authorize the payment of such fees as the institution may charge for the services it provides as Registrar and Paying Agent, and such fees may be paid from the Sinking Fund (as hereinafter defined) to pay the principal of and interest on the Bonds and fiscal agency charges.

All payments of interest on the Bonds shall be provided for by wire transfer of immediately available funds to the trustee named by the Bond Bank ("Bond Bank Trustee") under the Bond Bank Indenture, by and between the Bond Bank and the Bond Bank Trustee, pursuant to which the Bonds are acquired by the Bond Bank (the "Bond Bank Indenture") five business days prior to each Interest Payment Date (as defined in the Bond Bank Indenture), as the registered owner thereof, or if the Bond Bank transfers the Bonds, or any portion thereof, then, all payments of interest on the Bonds shall be paid by check or draft mailed or delivered one business day prior to the interest payment date to the registered owners thereof at their addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner as of the 1st day of the month next preceding any interest payment date (the "Record Date"). All payments on the Bonds shall be made in any coin or currency of the United States of America, which on the date of such payment shall be legal tender for the payment of public and private debts. Interest on Bonds which are authenticated on or before the Record Date which precedes the first interest payment date shall be paid from their original date. Interest on Bonds authenticated subsequent to the Record Date which precedes the interest payment date thereon shall be paid from the interest payment date to which interest has been paid as of the date on which such Bonds are authenticated, unless a Bond is authenticated between the Record Date and the interest payment date in which case the interest shall be paid from such interest payment date. Bonds authenticated on or subsequent to the first interest payment date shall be dated as of the interest payment date to which interest has been paid as of the date on which such Bonds are authenticated.

If the date for making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on which banking institutions in the area are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal day.

If any Bond shall not be presented for payment or redemption on the date fixed therefor, the City may deposit in trust with its depository bank an amount sufficient to pay such Bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with the bank for payment and the City shall have no further obligation or liability in respect thereto.

Each Bond shall be transferable or exchangeable only upon the books of the City kept for that purpose at the principal office of the Registrar, by the registered owner thereof in person, or by such owner's attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or such owner's attorney duly authorized in writing, and thereupon a new fully registered Bond, in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the City. The City, Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

SECTION 4. Redemption of Bonds. The Bonds of this issue maturing on and after a date (which date shall be within twelve (12) years from the dated date of such Bonds [the "Initial Call Maturity"]) to be selected by the City Controller shall be redeemable at the option of the City on the interest payment date either preceding or next preceding (as selected by the City Controller) the Initial Call Maturity, and on any date thereafter, on sixty (60) days' notice, in whole or in part, in any order of maturity selected

by the City, and by lot within a maturity, at face value together with a premium not to exceed 2 percent (expressed in percentage of face value) (as determined by the City Controller), plus in each case accrued interest to the date fixed for redemption. Negotiation of such dates and premiums shall constitute selection by the City Controller thereof in accordance with the foregoing terms.

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration record of the City not less than sixty (60) days prior to the date fixed for redemption unless such redemption notice is waived by the owners of the bond or bonds redeemed. The notice shall specify the date and place of redemption and sufficient identification of the bonds called for redemption. The place of redemption may be determined by the City. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named and when the bonds shall be presented for redemption.

SECTION 5. Security Pledge. The Bonds, as to both principal and interest, shall be payable solely from and secured by an irrevocable pledge of and shall constitute a charge upon (a) the Revenues (herein defined as (i) the revenues of the Golf Course remaining after the payment of the reasonable expenses of operation, repair and maintenance and (ii) the revenue generated by the incremental increase in property taxes from the Economic Development Area legally available to the City to provide for the payment of the principal of and interest on its bonds issued to finance local public improvements in or serving the related allocation area) and (b) any and all amounts held in the Whispering Hills Parks Projects Revenue Fund into which such Revenues are required to be deposited, held and applied as provided herein. The City shall not be obligated to pay the Bonds or the interest thereon except from the Revenues and amounts held from time to time in the Whispering Hills Parks Projects Revenue Fund. The Bonds shall state on their face that the City shall not be obligated to pay the same or the interest thereon except from the sources and in the manner provided in this Ordinance.

SECTION 6. Form of Bonds. The form and tenor of the Bonds shall be substantially as follows (with such additions, deletions and modification as the Mayor and Clerk may authorize, as conclusively evidenced by their signatures thereon), with all blanks to be filled in properly prior to delivery thereof:

UNITED STATES OF AMERICA
STATE OF INDIANA COUNTY OF MARION
No. R- CITY OF INDIANAPOLIS, INDIANA
PARKS PROJECT REVENUE REFUNDING BONDS OF 1997, SERIES A

Original Date Authentication Date

Registered Owner: _____, as Trustee for The Indianapolis Local Public Improvement Bond Bank pursuant to a Trust Indenture (the "Bond Bank Indenture") dated as of _____, 1997.

Principal Sum:

The City of Indianapolis, Indiana, in Marion County, State of Indiana (the "City"), a consolidated city of the first class with home rule powers organized and existing under the laws of the State of Indiana, for value received, hereby promises to pay to the Registered Owner set forth above (or registered assigns), solely from the sources and in the manner provided in the Ordinance hereinafter referred to, the Principal Sum set forth above in installments as set forth below (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon from the date hereof until each such installment of the Principal Sum is paid at the rate per annum specified below from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the 1st day of the month next preceding an interest payment date and on or before such interest payment date in which case it shall bear interest from such interest payment date, or unless this bond is authenticated on or before _____ 1, 199_, in which case it shall bear interest from the Original Date, which interest is payable semi-annually on the fifteenth day of January and July of each year, beginning _____. Interest shall be calculated according to a 360-day calendar year containing twelve 30-day months.

The Principal Sum shall be paid in [annual][semi-annual] installments as follows:

PRINCIPAL INSTALLMENT PAYMENT DATE	PRINCIPAL SUM	INTEREST RATE

The Principal Sum due on this Bond shall be reduced by each principal payment.

The principal sum of this bond is payable at the principal office of _____ (the "Registrar" or "Paying Agent"), in _____, Indiana. Interest payments shall be made by wire transfer of immediately available funds to the trustee under the Bond Bank Indenture five business days prior to each Interest Payment Date (as defined in the Bond Bank Indenture), as the registered owner thereof, or if the Bond Bank transfers the Bonds, or any portion thereof, then, all payments of interest on the Bonds shall be paid by check or draft mailed or delivered one business day prior to the interest payment date to the registered owners thereof at their addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner as of the 1st day of the month next preceding any interest payment date. Principal of and premium, if any, on this Bond shall be paid upon presentation and surrender of this Bond at the principal corporate trust office of the Registrar and Paying Agent. All payments on the bond shall be made in coin or currency of the United States of America, which on the dates of such payment shall be legal tender for the payment of public and private debts.

THIS BOND SHALL CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN THE MEANING OF THE PROVISIONS AND LIMITATIONS OF THE CONSTITUTION OF THE STATE OF INDIANA. HOWEVER, THE CITY SHALL NOT BE OBLIGATED TO PAY THIS BOND OR THE INTEREST THEREON EXCEPT FROM THE SOURCES AND IN THE MANNER PROVIDED IN THE ORDINANCE HEREINAFTER REFERRED TO.

This bond is one of an authorized issue of bonds of the City, of like date, tenor and effect, except as to numbering, interest rates and dates of maturity, in the total amount of \$_____, numbered from R-1 up, issued for the purpose of providing funds to be applied for the refunding of certain outstanding bonds of the City, and to pay incidental expenses, as authorized by an ordinance adopted by the governing body of the City on the ____ day of _____, 1997, entitled "A SPECIAL ORDINANCE of the City of Indianapolis, Indiana and the County of Marion, Indiana concerning the advance refunding by the City of its City of Indianapolis, Indiana, Parks Project Revenue Bonds Series 1994 A, dated June 1, 1994 ("Series 1994 Bonds"), the issuance and sale of special revenue bonds to pay the costs thereof, the collection, segregation and distribution of the Revenues, the safeguarding of the interests of the owners of the special revenue bonds, and other matters connected therewith, including repealing ordinances inconsistent herewith" (the "Ordinance"), and in strict compliance with the provisions of Indiana Code 5-1-5, 5-1-6, 5-1-14, 36-1-4-9, 36-3-1 and/or 36-10-4 and other applicable laws relating to the issuance of revenue bonds, as amended (collectively, the "Act").

Pursuant to the provisions of the Act and the Ordinance, the principal and interest on this bond and all other bonds of this issue are payable solely from the Whispering Hills Parks Projects Revenue Fund (as described in the Ordinance) to be funded from the Revenues (hereinafter defined as (i) the revenues of the Whispering Hills Municipal Golf Course remaining after the payment of the reasonable expenses of operation, repair and maintenance and (ii) the revenue generated by the incremental increase in property taxes from the Economic Development Area legally available to the City to provide for the payment of the principal of and interest on its bonds issued to finance local public improvements in or serving the related allocation area).

The City irrevocably pledges the Revenues and any and all amounts held from time to time in the Whispering Hills Parks Projects Revenue Fund to the prompt payment of the principal of and interest on the bonds authorized by the Ordinance, of which this is one.

The City further covenants that it will set aside and maintain in the Whispering Hills Parks Projects Revenue Fund a sufficient amount of the Revenues to meet (a) the interest on the bonds of this issue authorized by the Ordinance, as such interest shall fall due, (b) the necessary fiscal agency charges for paying all such bonds and interest, (c) the principal of all such bonds, as such principal shall fall due, and (d) an additional amount as a margin of safety to create the reserve required by the Ordinance. Such required payments shall constitute a charge upon all the Revenues and any and all amounts held from time to time in the Whispering Hills Parks Projects Revenue Fund, all as more particularly described in the Ordinance.

The bonds of this issue maturing on _____, or thereafter, are redeemable at the option of the City on _____, or any date thereafter, on not less than sixty (60) days' notice, in whole or in part, in any order of maturity selected by the City and by lot within a maturity, at face value together with the following premiums (expressed in percentage of face value):

___% if redeemed on _____ or thereafter before _____;

___% if redeemed on _____ or thereafter before _____;

0% if redeemed on _____ or thereafter;

plus in each case accrued interest to the date fixed for redemption.

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration record of the City not less than sixty (60) days prior to the date fixed for redemption unless such redemption notice is waived by the owners of the bond or bonds redeemed. The notice shall specify the date and place of redemption and sufficient identification of the bonds called for redemption. The place of redemption may be determined by the City. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named and when the bonds shall be presented for redemption.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the City may deposit in trust with its depository bank an amount sufficient to pay such bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with the bank for payment and the City shall have no further obligation or liability in respect thereto.

This bond is subject to defeasance prior to redemption or payment as provided in the Ordinance and the owner of this bond, by the acceptance hereof, hereby agrees to all the terms and provisions contained in the Ordinance.

This bond is transferable or exchangeable only upon the books of the City kept for that purpose at the office of the Registrar, or its successor, by the registered owner hereof in person, or by such owner's attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or such owner's attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. The City, the Registrar and any paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

The bonds maturing in any one year are issuable only in fully registered form in the denomination of One Hundred Thousand Dollars (\$100,000) and in any integral multiple of Five Thousand Dollars (\$5,000) in excess thereof not exceeding the aggregate principal amount of the bonds maturing in any such year.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the preparation and complete execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

August 4, 1997

IN WITNESS WHEREOF, the City has caused this bond to be executed in its corporate name by the manual or facsimile signature of the Mayor of the City, its corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by the Clerk.

CITY OF INDIANAPOLIS, INDIANA

By: _____
Stephen Goldsmith, Mayor

Attest:

Suellen Hart, City Clerk

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

It is hereby certified that this bond is one of the bonds described in the within-mentioned Ordinance duly authenticated by the Registrar.

_____, as Registrar

By: _____
Authorized Representative

The following abbreviations, when used in the inscription of the face of the within Bond, shall be construed as though they were written out in full according to the applicable laws or regulations.

- TEN COM. as tenants in common
- TEN ENT. as tenants by the entireties
- JT TEN. as joint tenants with right of survivorship and not as tenants in common
- UNIF TRANSFERS MIN ACT. _____ Custodian _____
(Cust) (Minor)
under Uniform Transfers to Minors Act

(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____

PLEASE INSERT SOCIAL SECURITY OR
OTHER IDENTIFYING NUMBER OF TRANSFEREE

(Please Print or Typewrite
Name and Address of Transferee)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney to transfer the within Bond on the registration books of the Registrar, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

Registered Owner
(NOTE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular without alteration or enlargement or any change whatsoever.)

SECTION 7. Preparation and Sale of Bonds. The City Controller is hereby authorized and directed to have the Bonds prepared, and the Mayor and Clerk are hereby authorized and directed to execute the Bonds in the form and manner herein provided. The City Controller is hereby authorized and directed to deliver the Bonds to the respective purchasers thereof after sale made in accordance with the provisions of this Ordinance, provided that at the time of the delivery the City Controller shall collect the full amount which the respective purchasers have agreed to pay therefor, plus accrued interest, if any, from the date thereof to the date of delivery. The Bonds herein authorized, as and to the extent paid for and delivered to the purchaser, shall be the binding special revenue obligations of the City, payable out of the Revenues to be set aside into the Whispering Hills Parks Projects Revenue Fund as herein provided, and the proceeds derived from the sale of the Bonds shall be and are hereby set aside for the Refunding of the Series 1994 Bonds and the expenses necessarily incurred in connection therewith. In the event it shall be hereafter determined that it is not necessary to issue all of the Bonds authorized by this Ordinance, the City Controller shall be authorized to sell and deliver a lesser amount of Bonds than herein authorized. The proper officers or officials of the City are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary, to carry out the provisions of this Ordinance.

The City Controller is hereby authorized and directed to negotiate the sale of and deliver the Bonds to Bond Bank in accordance with a Purchase Agreement (the "Purchase Agreement") between the City and the Bond Bank. The Mayor and Clerk are hereby authorized to execute and deliver the Purchase Agreement in a form and substance as determined by such officials, with terms consistent with this Ordinance, including a final principal amount, interest rates, maturity schedule, and terms of redemptions. The proper officers of the City are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary, to carry out the provisions of this Ordinance.

The City Controller is hereby authorized and directed to negotiate the sale of and deliver the Bonds to Bond Bank in accordance with a Purchase Agreement (the "Purchase Agreement") between the City and the Bond Bank. The Mayor and Clerk are hereby authorized to execute and deliver the Purchase Agreement in a form and substance as determined by such officials, with terms consistent with this Ordinance, including a final principal amount, interest rates, maturity schedule, and terms of redemptions. The proper officers of the City are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary, to carry out the provisions of this Ordinance.

The City Controller is hereby authorized to assist the Bond Bank in its appointment of a financial institution to serve as escrow trustee ("Escrow Trustee") in accordance with the terms of an Escrow Deposit Agreement, between the Bond Bank and the Escrow Trustee ("Escrow Agreement") in a form comparable to attached hereto as Exhibit A.

The City Controller is hereby authorized and directed to transfer cash and investments on-hand as the date of the issuance of the Bonds related to the Series 1994 Bonds, first to the Trust Account as and to the extent set forth in the Escrow Agreement to accomplish the Refunding of the Series 1994 Bonds (and their surrender and cancellation), next to fund the respective requirements of the accounts within the Whispering Hills Parks Projects Revenue Fund as herein provided, and lastly to the regular accounts of the City available to the Department.

SECTION 8. Use of Proceeds. The accrued interest received at the time of the delivery of the Bonds, shall be deposited in the Whispering Hills Parks Projects Revenue Fund and credited to the Bond and Interest Account. Concurrently with the delivery of the Bonds, the City Controller shall assist the Bond Bank with its acquisition, with the proceeds of the Bonds and cash on hand, "government obligations" (as defined in the indenture securing the Series 1994 Bonds), which includes United States Treasury Obligations--State and Local Government Series (the "Government Obligations") to be used, together with certain cash from the proceeds of the Bonds and cash on hand as set forth in the Escrow Agreement, to refund the Series 1994 Bonds (and their surrender and cancellation), all as set forth in the Escrow Agreement. In order to refund the Series 1994 Bonds (and their surrender and cancellation), the City Controller shall cause to be deposited Government Obligations and/or cash with the Escrow Trustee under the Escrow Agreement in an amount sufficient to cause the Series 1994 Bonds to be surrendered and cancelled or to provide moneys for payment of principal of and interest on the Series 1994 Bonds until their final maturity or redemption.

Costs of Issuance of the Bonds not otherwise paid, shall be paid from the remaining proceeds by the City Controller. When all the costs of issuance of the Bonds have been paid, the City Controller shall then transfer any amount then remaining from the proceeds of the Bonds to the Whispering Hills Parks Projects Revenue Fund and other Funds as herein provided.

SECTION 9. Whispering Hills Parks Projects Revenue Fund. The City has previously created and established a fund to be designated (with additional designations as deemed useful by the officer or official establishing such account) as the Whispering Hills Parks Project Revenue Fund and there shall be deposited into the Whispering Hills Parks Projects Revenue Fund, upon receipt, all Revenues.

There shall be set aside and held in the Whispering Hills Parks Projects Revenue Fund, as available, and as hereinafter provided, a sufficient amount of the Revenues to meet the requirements of the Bond and Interest Account and the Debt Service Reserve Account hereby created herein. Such payments shall continue until the balance in the Bond and Interest Account, plus the balance in the Debt Service Reserve Account hereinafter described, at least equals the amounts required below. Any moneys in the Whispering Hills Parks Projects Revenue Fund in excess of the requirements of the Bond and Interest Account and the Debt Service Reserve Account as hereinafter described, may be retained in the Whispering Hills Parks Projects Revenue Fund, or expended or transferred consistent with the terms of the Ordinance establishing such fund.

SECTION 10. Bond and Interest Account. There is hereby created and established within the Whispering Hills Parks Projects Revenue Fund a separate account of the City for the payment of the principal of and interest on the Bonds and the payment of any fiscal agency charges in connection with the payment of the Bonds and interest, which Fund shall be designated (with additional designations as deemed useful by the officer or official establishing such account) as the "Bond and Interest Account". There shall be credited, on the fifth day of each calendar month, to the Bond and Interest Account, an amount equal to the sum of (i) one-sixth (1/6) of the interest on all then outstanding Bonds payable on the then next succeeding interest payment date (except with respect to the first interest payment date, such fraction credited on a monthly basis shall be sufficient to assure that funds will be available to make such interest payment) and (ii) at least one-twelfth (1/12) of the principal (provided, if the Bonds are issued with scheduled principal payments due on January 15 and July 15 of each year, then in lieu of one-twelfth (1/12) of such principal payment, such transfer shall be at least one-sixth (1/6) of such principal payment) on all then outstanding Bonds payable on the then next succeeding principal payment date (except with respect to the first principal payment date, such fraction credited on a monthly basis shall be sufficient to assure that funds will be available to make such principal payment), until the amount of interest and principal payable on the then next succeeding respective interest and principal payment dates shall have been so credited; provided, however, that if the City Controller shall have determined that sufficient revenue is expected to be generated by the incremental increase in property taxes from the Economic Development Area and such will be legally available to the City to provide for the payment of the principal of and interest on the Bonds, as of the fifth day of the month preceding the date when such is due, then in lieu of monthly deposits of Revenues in the Bond and Interest Account, such aggregate amount may be transferred therein by the fifth day of the month preceding each such next principal and interest payment date. There shall similarly be credited to the account the amount necessary to pay the bank's fiscal agency charges for paying principal and interest on the Bonds as the same become payable. The City shall, from the sums deposited in the Whispering Hills Parks Projects Revenue Fund and credited to the Bond and Interest Account, remit promptly to the registered owner and to the bank sufficient moneys to pay the principal and interest on the due dates thereof together with the amount of bank fiscal agency charges.

SECTION 11. Debt Service Reserve Account. There is hereby created and established within the Whispering Hills Parks Projects Revenue Fund a separate account of the City as a margin for safety and protection against default in the payment of principal of and interest on outstanding Bonds, which Fund shall be designated (with additional designations as deemed useful by the officer or official establishing such account) as the "Debt Service Reserve Account." Following the issuance of the Bonds, there shall be credited to and become a part of the Debt Service Reserve Account not less than the required semi-annual deposit or such higher amount as fixed by the City Controller from the Whispering Hills Parks Projects Revenue Fund on the fifth day of the month containing an interest payment date until the balance therein equals, but does not exceed maximum annual debt service on the Bonds ("Reserve Requirement"). The amount of such deposits shall be equal in amount and sufficient in the aggregate to accumulate the Reserve Requirement within five (5) years from the date of delivery of the Bonds. As long as the Bonds are held by the Bond Bank, any amounts held in the Debt Service Reserve Account shall be immediately transferred to the Bond Bank trustee for deposit in the debt service reserve fund maintained and held pursuant to the terms of the Bond Bank Indenture. To the extent principal or

interest on the Bonds is paid from such reserve, the City shall be credited with making such payments and any obligations under this Ordinance paid thereby shall be deemed satisfied. To the extent amounts are held by the Bond Bank trustee within the debt service reserve fund maintained pursuant to the terms of the Bond Bank Indenture, such amounts shall be deemed held within the Debt Service Reserve Account for purposes of satisfying the Reserve Requirement herein provided. The balance within the Debt Service Reserve Account shall never exceed the Reserve Requirement.

The moneys in the Debt Service Reserve Account shall be used to pay current principal and interest on outstanding Bonds to the extent that moneys in the Bond and Interest Account are insufficient for that purpose. Any deficiency in the balance maintained in the Debt Service Reserve Account shall be promptly made up from the next available Revenues remaining after credits into the Bond and Interest Account. In the event the money in the Debt Service Reserve Account is used to pay principal and interest on outstanding Bonds, then such depletion of the balance in the Debt Service Reserve Account shall be made up from the next available revenues in the Whispering Hills Parks Projects Revenue Fund after the credits into the Bond and Interest Account.

SECTION 12. Rebate Fund. (a) The City shall establish and maintain, so long as any Bonds are outstanding and are subject to a requirement of the Internal Revenue Code of 1986 as existing on the date of the issuance of the Bonds (the "Code") that arbitrage profits be rebated to the United States of America, a Rebate Fund. The City shall make information regarding the Bonds and investments hereunder available to the City. Anything in this Ordinance to the contrary notwithstanding, this Section may be superseded or amended by new procedures delivered by the City and accompanied by an opinion of a nationally recognized bond counsel addressed to the City to the effect that use of the new procedures will not cause a loss of the exclusion from gross income of the interest on the Bonds for federal income tax purposes.

(b) Pursuant to the Rebate Memorandum executed by the City and dated as of the date of the issuance of the Bonds ("Rebate Memorandum"), the City is required to make certain computations and make certain payments to the United States of America in order to comply with its obligations under Section 148(f) of the Code and the regulations promulgated thereunder. The City is required to provide copies of such computations and evidence of such payment to the City on or before the respective payment dates specified in the Rebate Memorandum. If the City does not receive copies of such computations and evidence of such payment on or prior to the respective payment date set forth in the Rebate Memorandum, the City shall request copies of such computations and evidence of payment immediately. Records of the computations and payments required under the Rebate Memorandum must be retained by the City until six (6) years after the Bonds are no longer outstanding.

(c) If the City elects to make a deposit to the Rebate Fund, the City shall accept such amounts from time to time and invest those amounts in accordance with the instructions of the City. Upon written instructions from the City, the City shall disburse funds from the Rebate Fund to make payments required under the Rebate Memorandum or transfer excess funds to the City.

SECTION 13. Nature of Accounts and Investments. The Whispering Hills Parks Projects Revenue Fund may be held as one or more separate bank accounts of the City or maintained within an existing account of the City so long as records are maintained to separately account therefor. All moneys deposited in the bank accounts shall be deposited, held, secured and invested as public funds in accordance with the public depository laws and investment laws of the State of Indiana as now in effect (including particularly Indiana Code 5-13-9) or as hereafter supplemented and amended. All earnings on the investments held in each bank account shall be retained in the respective fund or account and used for the purposes or transferred as therein provided.

The City Controller is hereby authorized pursuant to Indiana Code 5-1-14-3 to invest moneys pursuant to the provisions of this Ordinance (subject to applicable requirements of federal law to ensure such yield is the then current market rate) to the extent necessary or advisable to preserve the exclusion from gross income of interest on the Bonds under federal law.

The City Controller shall keep full and accurate records of investment earnings and income from moneys held in the funds and accounts created or referenced herein. In order to comply with the provisions of this Ordinance, the City Controller is hereby authorized and directed to employ consultants or attorneys from time to time to advise the City as to requirements of federal law to preserve the tax exclusion.

SECTION 14. Maintenance of Books and Records. The Department and City shall keep proper books of records and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues collected from the Golf Course and the Economic Development Area and all disbursements made on account of the Golf Course, and all transactions relating to the Golf Course. There shall be prepared and furnished to the original purchasers of the Bonds and, upon written request, to any subsequent owner of at least \$25,000 in principal amount of the Bonds, not more than one hundred twenty (120) days after the close of each fiscal year, complete operating income and expense statements of the Golf Course, covering the preceding fiscal year and the balances in the several funds and accounts created or continued by this Ordinance. The fiscal year of the Golf Course shall be from January 1 to December 31, both inclusive. Copies of all such statements and reports, together with all audits of the Golf Course made available to the City, shall be kept on file with the Department. Any owner or owners of at least \$25,000 in principal amount of the Bonds then outstanding shall have the right at all reasonable times to inspect the records, accounts, statements, audits, reports and data of the Department relating to the Golf Course. Such inspections may be made by representatives duly authorized by written instrument.

SECTION 15. Defeasance of Bonds. If, when the Bonds issued hereunder or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or any portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds then outstanding or any portion thereof shall be paid; or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America (including obligations issued or held in book entry form in the records of the Department of Treasury), the principal of and the interest on which when due will provide sufficient moneys, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks the principal of and interest on which when due will provide sufficient moneys, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds issued hereunder or any designated portion thereof shall no longer be deemed outstanding or entitled to the pledge of the Revenues.

SECTION 16. Additional Covenants. For the purpose of further safeguarding the interests of the owners of the Bonds herein authorized, it is specifically provided as follows:

(a) The City shall at all times cause the Golf Course to be maintained in good condition and cause the same to be operated in an efficient manner and at a reasonable cost.

(b) The City shall cause the Department to establish and maintain just and equitable rates or charges for the use of the Golf Course; that such rates or charges shall be sufficient in each year to provide revenues to the City that are sufficient for the payment of the proper and reasonable expenses of operation, repair and maintenance of the Golf Course, and, together with revenues generated by the incremental increase in property taxes from the Economic Development Area, are sufficient to meet the requirements of the Bond and Interest Account and the Debt Service Reserve Account under this Ordinance.

(c) The City shall cause to be acquired and maintained insurance on the insurable parts of the Golf Course of a kind and in an amount such as would normally be carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana. Insurance proceeds and condemnation awards shall be used in replacing or repairing the property destroyed or damaged; or if not used for that purpose shall be treated and applied in the same manner as the Revenues. As an alternative to maintaining such insurance, the City may maintain a self-insurance program with catastrophic or similar coverage so long as such program meets the requirements of applicable laws and is maintained in a manner consistent with programs maintained by similarly situated governmental entities.

(d) So long as any of the Bonds are outstanding, the City shall not mortgage, pledge or otherwise encumber the Golf Course, or any part thereof, nor shall it sell or otherwise dispose of any portion thereof except to replace equipment which may become worn out or obsolete or no longer suitable for use at the Golf Course.

(e) Except as otherwise permitted pursuant to this Ordinance, so long as any of the Bonds herein authorized are outstanding, no additional Bonds or other obligations pledging any portion of the

Revenues shall be authorized, executed or issued by the City except such as shall be made subordinate and junior in all respects to the Bonds herein authorized, unless all of the Bonds herein authorized are redeemed, retired or defeased pursuant to Section 15 hereof as of or coincidentally with the delivery of such additional Bonds or other Bonds.

(f) The provisions of this Ordinance shall constitute a contract by and between the City and the owners of the Bonds herein authorized, and after the issuance of the Bonds, this Ordinance shall not be repealed or amended in any respect which will adversely affect the rights of the owners of the Bonds, nor shall the City-County Council adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of the Bonds or the interest thereon remain unpaid. Excluding the changes set forth in Section 18 of this Ordinance requiring the consent of all Bondholders, this Ordinance may be amended without the consent of the owners of the Bonds if the City-County Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the Bonds.

(g) The provisions of this Ordinance shall be construed to create a trust in the proceeds of the sale of the Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this Ordinance and of the Act. The provisions of this Ordinance shall also be construed to create a trust in the portion of the Revenues herein directed to be set apart and paid into the Whispering Hills Parks Projects Revenue Fund for the uses and purposes of the fund as in this Ordinance set forth. The owners of the Bonds shall have all of the rights, remedies and privileges set forth in the provisions of the Act, including the right to have a receiver appointed to administer the Golf Course, in the event of default in the payment of the principal of or interest on any of the Bonds herein authorized or in the event of default in respect to any of the provisions of this Ordinance or the Act.

SECTION 17. Tax Covenants. In order to preserve the exclusion of interest on the Bonds from gross income for federal income tax purposes under Section 103 of the Code and as an inducement to purchasers of the Bonds, the City represents, covenants and agrees that:

(a) No person or entity, other than the City or another state or local governmental unit, will use proceeds of the Bonds or property financed by Bond proceeds other than as a member of the general public. No person or entity other than the City or another state or local governmental unit will own property financed by Bond proceeds or will have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as take-or-pay or output contract, or any other type of arrangement that differentiates that person's or entity's use of such property from the use by the public at large.

(b) No Bond proceeds will be loaned to any entity or person other than a state or local governmental unit. No Bond proceeds will be transferred, directly or indirectly, or deemed transferred, directly or indirectly, to a nongovernmental person in any manner that would in substance constitute a loan of the Bond proceeds.

(c) The City will not take any action nor fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Bonds pursuant to Section 103 of the Code.

(d) It shall not be an event of default under this Ordinance if the interest on any Bonds is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of the issuance of the Bonds.

Notwithstanding any other provisions of this Ordinance, the covenants and authorizations contained in this Ordinance (the "Tax Sections") which are designed to preserve the exclusion of interest on the Bonds from gross income under federal law (the "Tax Exemption") need not be complied with if the City receives an opinion of nationally recognized bond counsel to the effect that any of the Tax Sections are unnecessary to preserve the Tax Exemption.

SECTION 18. Amendments with Bondholder Consent. Subject to the terms and provisions contained in this Section and as permitted elsewhere in this Ordinance (including Section 16 and Section 17 herein), and not otherwise, the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the Bonds issued pursuant to this Ordinance and then outstanding shall have the right, from time to time, anything contained in this Ordinance to the contrary notwithstanding, to consent to and approve the adoption by the City of such ordinance or ordinances supplemental hereto

as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

- (a) An extension of the maturity of the principal of or interest on any Bond issued pursuant to this Ordinance or the extension of mandatory sinking fund redemption dates, if any; or
- (b) A reduction in the principal amount of any Bond or the rate of interest thereon; or
- (c) The creation of a lien upon or a pledge of the Revenues ranking prior to the pledge thereof created by this Ordinance; or
- (d) A preference or priority of any Bond or Bonds issued pursuant to this Ordinance over any other Bond or Bonds issued pursuant to the provisions of this Ordinance; or
- (e) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance; or
- (f) A reduction in the Reserve Requirement.

The owners of not less than sixty-six and two-thirds percent (66-23%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the appropriate City Controller. No owner of any Bond issued pursuant to this Ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City or its officers or officials from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the City and all owners of Bonds issued pursuant to the provisions of this Ordinance then outstanding, shall thereafter be determined, exercised and enforced in accordance with this Ordinance, subject in all respect to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the City and the owners of the Bonds authorized by this Ordinance, and the terms and provisions of the Bonds and this Ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the City and the consent of the owners of all the Bonds issued pursuant to this Ordinance then outstanding.

SECTION 19. Disclosure. The City Controller is authorized to cause to be prepared the final form of the Preliminary Official Statement (or Offering Circular), if determined to be necessary, and to find and determine it to be final as of its date, except for the omission of the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, any other terms or provisions required to be specified in a competitive bid, ratings, other terms of the Bonds depending on such matters, and the identity of the underwriter(s). The form of the Preliminary Official Statement (or Offering Circular) as approved shall be maintained in the records of the Clerk. The Preliminary Official Statement (or Offering Circular) and the final Official Statement (or Offering Circular) are hereby authorized for distribution to prospective purchasers and other interested parties subject to the prior approval authorized herein.

The City Controller is authorized and directed to execute and deliver a final Official Statement (or Offering Circular), if determined to be necessary, in substantially the form of the Preliminary Official Statement (or Offering Circular), with such changes in form or substance as such official shall approve, such approval to be conclusively evidenced by the execution thereof.

If the use of a Preliminary Official Statement is determined to be necessary as provided above, the City hereby covenants to deliver or cause to be delivered to the initial purchaser of the Bonds within seven (7) business days after any final agreement to purchase, offer or sell the Bonds copies of the final Official Statement if prepared as authorized herein, in sufficient quantity to comply with Rule 15c2-12(b)(4) of the Securities and Exchange Commission and the applicable rules of the Municipal Securities Rulemaking Board.

If the use of a Preliminary Official Statement is determined to be necessary as provided above and no exemption therefrom is otherwise applicable, the City further hereby covenants to enter into with a counterparty reasonably acceptable to the initial purchaser of the Bonds, a continuing disclosure agreement in substantially the form approved by the City Controller in connection with the approval of the Preliminary Official Statement, with such changes in form or substance as such officials shall approve, such approval to be conclusively evidenced by their execution thereof, for purposes of permitting the initial purchaser of the Bonds to comply with Rule 15c2-12(b)(5) of the Securities and Exchange Commission.

SECTION 20. Additional Authority. The Mayor, City Controller and the Clerk and any of them, is hereby authorized and directed to do and perform all acts and execute in the name of the City all such instruments, documents, papers or certificates which are necessary, desirable or appropriate to carry out the transactions contemplated by this Ordinance in such forms as such officers executing the same shall deem proper, to be conclusively evidenced by the execution thereof.

SECTION 21. Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 22. Effective Date. This Ordinance shall be in full force and effect from and after its passage.

EXHIBIT A

ESCROW DEPOSIT AGREEMENT

Dated as of _____, 1997

By and Among

FIFTH THIRD BANK OF CENTRAL INDIANA

as Trustee

FIFTH THIRD BANK

as Registrar and Paying Agent

and

THE INDIANAPOLIS LOCAL PUBLIC IMPROVEMENT BOND BANK

ESCROW DEPOSIT AGREEMENT

This Escrow Deposit Agreement, dated as of _____, 1997 (the "Escrow Agreement"), by and among The Indianapolis Local Public Improvement Bond Bank (the "Issuer"), Fifth Third Bank of Central Indiana, as trustee (the "Trustee") and Fifth Third Bank (the "Paying Agent or Registrar"), as Paying Agent and Registrar under the Trust Indenture dated as of June 1, 1994 (the "Indenture") by and among the Issuer, the Trustee and the Paying Agent.

WITNESSETH

WHEREAS, the Indenture provided for the issuance of the Issuer's Bonds, Series 1994 A (the "Prior Bond Bank Bonds") issued in an original aggregate principal amount of \$6,500,000, in order to acquire (a) City of Indianapolis (the "City") Parks Project Revenue Bonds, Series 1994 A, dated June 1, 1994, issued in an original aggregate principal amount of \$3,280,000 (the "Prior City Whispering Hills Project Bonds") in order to finance or refinance improvements made at Whispering Hills Municipal Golf Course and (b) the City's Parks Project Revenue Bonds, Series 1994 B, dated June 1, 1994, issued in an original aggregate principal amount of \$3,220,000 (the "Prior City Coffin Project Bonds") in order to finance or refinance improvements made at Coffin Municipal Golf Course; and

WHEREAS, the City has determined that it is in its best interest to advance refund the Prior City Whispering Hills Project Bonds by issuing its Parks Project Revenue Refunding Bonds of 1997, Series A (the "1997 City Whispering Hills Project Refunding Bonds"); and

WHEREAS, the Issuer has determined that it is in its best interest to advance refund that pro-rata share of the Prior Bond Bank Bonds related to its Bonds, Series 1997 _ (the "Series 1997 Tax-Exempt Bonds") by surrendering the Prior City Whispering Hills Project Bonds for cancellation and acquiring the 1997 City Whispering Hills Project Refunding Bonds; and

WHEREAS, the City has determined that it is in its best interest to advance refund the Prior City Coffin Project Bonds by issuing its Taxable Parks Project Revenue Refunding Bonds of 1997, Series A (the "1997 City Coffin Project Refunding Bonds"); and

WHEREAS, the Issuer has determined that it is in its best interest to advance refund that pro-rata share of the Prior Bond Bank Bonds (which together with the pro-rata share of the Prior Bond Bank Bonds advance refunded by issuing the Series 1997 Tax-Exempt Bonds constitutes all of the outstanding Prior Bond Bank Bonds) related to its Taxable Bonds, Series 1997 _ (the "Series 1997 Taxable Bonds") by surrendering the Prior City Coffin Project Bonds for cancellation and acquiring the 1997 City Coffin Project Refunding Bonds; and

WHEREAS, the foregoing will result in all of the outstanding Prior Bond Bank Bonds being defeased under terms of the Indenture and payable solely from the Escrow Fund herein created and in the Prior City Whispering Hills Project Bonds and the Prior City Coffin Project Bonds being surrendered and cancelled according to their terms.

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants hereinafter set forth, the parties hereto agree as follows:

Section 1. Escrow Fund. Pursuant to Article XI of the Indenture, the Trustee shall create and maintain a separate fund designated as the "Escrow Fund" to be held and applied by the Trustee in accordance with the provisions of Section 11.01 of the Indenture which provisions are incorporated herein by reference. All terms used herein shall have the meaning set forth in the Indenture.

Section 2. Funding of the Escrow Fund. Concurrently with the execution of this Escrow Agreement, there is deposited with the Trustee the following sums from the source identified:

(I) (a) \$ _____ from proceeds of the Series 1997 Tax-Exempt Bonds, (b) \$ _____ from proceeds of the Prior Bond Bank Bonds held in the Debt Service Reserve Account under the Indenture, and (c) \$ _____ held in the TIF Revenues Debt Service Subaccount related to the Prior City Whispering Hill Project Bonds; and

(II) (a) \$ _____ from proceeds of the Series 1997 Taxable Bonds, (b) \$ _____ from proceeds of the Prior Bond Bank Bonds held in the Debt Service Reserve Account under the Indenture, (c) \$ _____ held in the Common Debt Service Subaccount related to the Prior City Coffin Project Bonds and (d) \$ _____ held in the _____ related to the Prior City Coffin Project Bonds.

\$ _____ of the sum identified in clause (I)(a) of the prior paragraph is to be used to purchase the direct and general obligations of the United States of America or obligations unconditionally guaranteed by the United States of America which are not redeemable prior to maturity other than at the option of the holder thereof ("Government Obligations") described in Part I of Exhibit A hereto. \$ _____ of the sum identified in clause (II)(a) of the prior paragraph is to be used to purchase the Government Obligations described in Part II of Exhibit A hereto. \$ _____ of the remaining sums identified in the prior paragraph is to be used to purchase the Government Obligations described in Part III of Exhibit A hereto.

As used herein the term "Escrow Fund Government Obligations" means the Government Obligations described in Exhibit A attached hereto and in the event Float Securities or Substituted Securities (each as hereinafter defined) are acquired pursuant to this Escrow Agreement, the term shall thereafter include any such Float Securities and Substituted Securities. The Trustee hereby acknowledges receipt of the Escrow Fund Government Obligations.

Section 3. Irrevocable Deposit; Application of Escrow Fund. The deposit pursuant to Section 2 hereof, of the Escrow Fund Government Obligations and cash in the amount of \$ _____ in the Escrow Fund shall constitute an irrevocable deposit thereof, and the interest earned thereon and any increment thereto (except to the extent provided in Section 6 herein), shall be held solely as a trust fund for the benefit of the holders of the Prior Bond Bank Bonds separate and apart from other funds of the Issuer, if any, or of the Trustee or of the Paying Agent. The amounts held in the Escrow Fund shall be applied by the Paying Agent upon transfer of such amounts by the Trustee to the payment of the interest and premium (if applicable) on and the principal of the Prior Bond Bank Bonds as described in Exhibit B attached hereto.

Section 4. Payment of the Prior Bond Bank Bonds. On each interest and principal payment date for the Prior Bond Bank Bonds, the Trustee agrees to make available to the Paying Agent sufficient amounts (but solely from the Escrow Fund) to pay, and the Paying Agent, in its capacity as paying agent, agrees to pay with such amounts, the interest and premium (if applicable) on and principal of the Prior Bond Bank Bonds due on such dates, all as more specifically described in Exhibit B hereto.

Section 5. Notices of Refunding and Redemption. The Trustee and the Paying Agent hereby acknowledge receipt of the irrevocable instructions of the Issuer to provide notice of refunding and redemption in accordance with the Indenture attached hereto as Exhibit C. The Paying Agent agrees to mail notice of the refunding, on behalf of the Issuer, to those persons set out in Section 3.03 of the Indenture, as soon as practicable and substantially in the form attached hereto as Exhibit D. Further, the Paying Agent agrees to give notice of redemption, on behalf of the Issuer, at least thirty (30) days but not more than sixty (60) days prior to January 15, 2004, to the holders of the Prior Bond Bank Bonds in accordance with Section 3.03 of the Indenture, such notice to be substantially in the form attached hereto as Exhibit E; additionally such notice (in substantially the form attached hereto as Exhibit E) shall also be given by the Paying Agent in the manner set forth in Section 3.03(A)(2) of the Indenture.

Section 6. Float Securities and Substituted Securities. Except as provided herein, the Trustee shall have no power or duty to invest any funds held under this Escrow Agreement or to sell, transfer or otherwise dispose of the cash or Escrow Fund Government Obligations held hereunder.

The Trustee shall to the extent possible reinvest the maturity proceeds of and earnings from the Escrow Fund Government Obligations described in Exhibit A on the dates scheduled in Exhibit F attached hereto in other Government Obligations (the "Float Securities") maturing on or before the dates scheduled in Exhibit F at a yield not in excess of _____%; provided however, that each such reinvested shall be in accordance with Section 9 herein. The Trustee shall notify the Issuer and nationally recognized bond counsel selected by the Issuer to render the opinion referred to below if any such reinvestment cannot be made in accordance with the terms of the preceding sentence and shall comply with the reinvestment instructions of the Issuer so long as the Float Securities to be reinvested in mature on or before the dates scheduled in Exhibit F and the Trustee receives an unqualified opinion of nationally recognized bond counsel to the effect that such reinvestment would not cause any of the Prior Bond Bank Bonds or the Series 1997 Tax-Exempt Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended and any regulations or rulings pertaining thereto (the "Code"). Earnings from any reinvestment in Float Securities in excess of the maturity proceeds of and earnings from the Escrow Fund Government Obligations maturing as described in Exhibit A shall be immediately paid over to the Issuer or applied in accordance with the Indenture.

At the written request of the Issuer and upon compliance with the conditions hereinafter set forth, the Trustee shall have the power to sell, transfer, request the redemption or otherwise dispose of some or all of the Escrow Fund Government Obligations held in the Escrow Fund, to substitute other Government Securities ("Substituted Securities") and to alter the instructions for reinvestment in Float Securities. The foregoing may be effected only if (i) the substitution of the Substituted Securities for all or a portion of the existing Escrow Fund Government Obligations occur simultaneously; (ii) the Trustee shall receive an unqualified opinion of nationally recognized bond counsel to the effect that such disposition and substitution would not cause any of the Prior Bond Bank Bonds or the Series 1997 Tax-Exempt Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and that the conditions of this section as to the disposition and substitution have been satisfied; and (iii) the Trustee shall receive from a firm of independent certified public accountants a certification that, immediately after such transaction, the principal of and interest on the Escrow Fund Government Obligations then held in the Escrow Fund (without taking into account any reinvestment thereof) will, together with other cash on deposit in the Escrow Fund available for such purposes, be sufficient to pay when due the interest and premium (if applicable) on and the principal of the Prior Bond Bank Bonds in accordance with Exhibit B.

Section 7. Amendments. This Escrow Agreement is made for the benefit of the Issuer and the holders from time to time of the Prior Bond Bank Bonds and it shall not be repealed, revoked, altered or amended without the written consent of all such holders, the Trustee, the Paying Agent and the Issuer; provided, however, that the Issuer, the Paying Agent and the Trustee may, without the consent of, or notice to, such holders, amend this Escrow Agreement or enter into such agreements supplemental to this Escrow Agreement, in their sole judgment and discretion, as shall not materially adversely affect the rights of such holders, for any one or more of the following purposes: (i) to cure any ambiguity or formal defect or omission in this Escrow Agreement; (ii) to grant to, or confer upon, the Trustee and/or

the Paying Agent for the benefit of the holders of the Prior Bond Bank Bonds, any additional rights, remedies, powers or authority that may lawfully be granted to, or conferred upon, the Trustee and/or the Paying Agent; and (iii) to include under this Escrow Agreement additional funds, securities or properties.

Section 8. Termination. This Escrow Agreement shall terminate when the Prior Bond Bank Bonds have been paid and discharged in accordance with this Escrow Agreement, and any remaining cash and Escrow Fund Government Obligations have been paid over by the Trustee or the Paying Agent as described in the Indenture.

Section 9. Tax Covenant. The Issuer covenants and agrees that the proceeds from the sale of the Series 1997 Tax-Exempt Bonds, any monies attributable to the proceeds of the Prior Bond Bank Bonds, amounts received from the investment of the proceeds of the Prior Bond Bank Bonds and the Series 1997 Tax-Exempt Bonds and any other amounts treated as proceeds of the Series 1997 Tax-Exempt Bonds under the provisions of the Code shall not be invested or otherwise used in a manner which would cause the Prior Bond Bank Bonds or the Series 1997 Tax-Exempt Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code. Further, the Issuer covenants and agrees to comply with restrictions placed on investments and the certifications regarding arbitrage delivered in connection with the closing of the Prior Bond Bank Bonds. Subject to the restrictions contained elsewhere in this Agreement, the Trustee will invest all such monies as directed by the Issuer.

Section 10. Paying Agent's Compensation. The Paying Agent's acts as registrar and paying agent for the Prior Bond Bank Bonds shall constitute services rendered and the Paying Agent hereby acknowledges receipt of compensation in payment of all such ordinary and customary services; provided, however, the Issuer agrees to pay additional compensation to the Paying Agent for any and all reasonable and necessary services, expenses, reimbursements and indemnity related to extraordinary circumstances in connection with the administration of its duties as registrar and paying agent; and, provided further that notwithstanding the terms of the Indenture under no circumstances shall the Paying Agent be entitled to any lien whatsoever on any monies or obligations in the Escrow Fund for the payment of fees and expenses for services rendered by the Paying Agent as registrar and paying agent hereunder or otherwise.

Section 11. Trustee's Compensation. The Trustee's acts as trustee for the Prior Bond Bank Bonds shall constitute services rendered and the Trustee hereby acknowledges receipt of compensation in payment of all such ordinary and customary services; provided, however, the Issuer agrees to pay additional compensation to the Trustee for any and all reasonable and necessary services, expenses, reimbursements and indemnity related to extraordinary circumstances in connection with the administration of its duties as Trustee; and, provided further that notwithstanding the terms of the Indenture under no circumstances shall the Trustee be entitled to any lien whatsoever on any monies or obligations in the Escrow Fund for the payment of fees and expenses for services rendered by the Trustee under this Escrow Agreement.

Section 12. Severability. If any one or more of the covenants or agreements provided in this agreement on the part of the Issuer, the Paying Agent or the Trustee to be performed should be determined by a court of competent jurisdiction to be contrary to law, such covenants or agreements shall be null and void and shall be deemed separate from the remaining covenants and agreements herein contained and shall in no way affect the validity of the remaining provisions of this Escrow Agreement.

Section 13. Counterparts. This Escrow Agreement may be executed in several counterparts, all or any of which shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument.

Section 14. Governing Law. This Escrow Agreement shall be construed under the laws of the State of Indiana.

Section 15. Headings. The paragraph headings used in this Escrow Agreement are for convenience of references only.

IN WITNESS WHEREOF, the parties hereto have each caused this Escrow Agreement to be executed by their duly authorized officers and their respective corporate seals (if any) to be hereunto affixed and attested as of the date first above written.

**THE INDIANAPOLIS LOCAL PUBLIC
IMPROVEMENT BOND BANK**

By: _____
Chairman

Attest:

Executive Director

**FIFTH THIRD BANK OF CENTRAL
INDIANA, as Trustee**

By: _____
Print Name and Title

Attest:

**FIFTH THIRD BANK, as Paying Agent and
Registrar**

By: _____
Print Name and Title

Attest:

- EXHIBIT A Escrow Fund Government Securities
- EXHIBIT B Schedule of Refunded Bond Interest, Principal and Premium Payment
- EXHIBIT C Irrevocable Instructions
- EXHIBIT D Bond Holder Defeasance Notice
- EXHIBIT E Refunded Redemption Notice
- EXHIBIT F Reinvestment Schedule

EXHIBIT A

The Escrow Fund Government Securities are further described on the transaction confirmation reports attached as part of this Exhibit A.

PART I

<u>Maturity Date</u>	<u>Maturing Principal</u>	<u>Rate</u>	<u>Description</u>
----------------------	---------------------------	-------------	--------------------

PART II

<u>Maturity Date</u>	<u>Maturing Principal</u>	<u>Rate</u>	<u>Description</u>
----------------------	---------------------------	-------------	--------------------

PART III

<u>Maturity Date</u>	<u>Maturing Principal</u>	<u>Rate</u>	<u>Description</u>
----------------------	---------------------------	-------------	--------------------

August 4, 1997

EXHIBIT B

SCHEDULE OF PRIOR BOND BANK BONDS INTEREST,
PRINCIPAL AND PREMIUM PAYMENTS

<u>Date</u>	<u>Principal</u>	<u>Premium</u>	<u>Interest</u>	<u>Period Total</u>
1/15/98	\$180,000	-0-		
7/15/99	-0-	-0-		
1/15/99	200,000	-0-		
7/15/99	-0-	-0-		
1/15/99	205,000	-0-		
7/15/00	-0-	-0-		
1/15/01	230,000	-0-		
7/15/01	-0-	-0-		
1/15/02	205,000	-0-		
7/15/02	-0-	-0-		
1/15/03	260,000	-0-		
7/15/03	-0-	-0-		
1/1/04	4,860,000	-0-		

EXHIBIT C

IRREVOCABLE INSTRUCTIONS

The undersigned officers of The Indianapolis Local Public Improvement Bond Bank (the "Issuer") hereby irrevocably instructs Fifth Third Bank, as Paying Agent, as follows:

(i) to send by first-class mail, postage prepaid, as provided in Article III of the Trust Indenture dated as of June 1, 1994 (the "Indenture"), notice of redemption of the Bonds, Series 1994 A (the "Prior Bond Bank Bonds") maturing on or after January 15, 2005; and

(ii) to send by first-class mail, postage prepaid, as soon as practicable, a notice to the Holders of the Prior Bond Bank Bonds that (I) the deposit required by Article XI has been made with the Trustee and that such Prior Bond Bank Bonds are deemed to have been paid and cease to be entitled to any rights under the lien of the Indenture and (II) moneys are to be available for the payment (a) the principal of and interest on all Prior Bond Bank Bonds as the same become due on each payment date on or before January 15, 2004 and (b) the premium on and principal of all of the other Prior Bond Bank Bonds on January 15, 2004.

In addition, the Trustee is instructed to give such further notice of redemption with respect to the Prior Bond Bank Bonds as required by Section 3.03 of the Indenture.

Dated this _____ day of _____, 1997.

**THE INDIANAPOLIS LOCAL PUBLIC
IMPROVEMENT BOND BANK**

By: _____
Chairman

Attest:

Executive Director

EXHIBIT D

**THE INDIANAPOLIS LOCAL PUBLIC IMPROVEMENT BOND BANK
BONDS, SERIES 1994 A, ORIGINALLY DATED JUNE 1, 1994 AND ISSUED
ON JULY 19, 1994**

Notice is hereby given to the owners of the outstanding bonds designated above maturing on or after January 15, 1998 (the "Prior Bond Bank Bonds") that (i) there has been deposited with Fifth Third Bank of Central Indiana, Indianapolis, Indiana, as Trustee (the "Trustee") monies and direct obligations of the United States of America permitted by the Trust Indenture dated as of June 1, 1994 (the "Indenture") by and among The Indianapolis Local Public Improvement Bond Bank (the "Issuer"), Fifth Third Bank, as registrar and paying agent for the Prior Bond Bank Bonds (the "Paying Agent") and the Trustee, the principal of and interest on which when due will provide amounts which, together with any other monies deposited with the Trustee, shall be sufficient and available to pay (a) the principal of and interest on all Prior Bond Bank Bonds as the same become due on each payment date on or before January 15, 2004 and (b) the premium on and principal of all of the other Prior Bond Bank Bonds on January 15, 2004; (ii) the Paying Agent has been irrevocably instructed to redeem on January 15, 2004 the Prior Bond Bank Bonds maturing on or after January 15, 2005; and (iii) the Prior Bond Bank Bonds are deemed to be paid in accordance with the Indenture and cease to be entitled to any rights under the lien of the Indenture.

Owners of the Prior Bond Bank Bonds will receive the principal or redemption price payments to which they are entitled upon presentation and surrender of the Prior Bond Bank Bonds at the principal corporate trust office of the Paying Agent, in Cincinnati, Ohio.

Dated this __ day of _____, 1997.

**THE INDIANAPOLIS LOCAL PUBLIC
IMPROVEMENT BOND BANK**

By: _____
Chairman

Attest:

Executive Director

EXHIBIT E

**THE INDIANAPOLIS LOCAL PUBLIC IMPROVEMENT BOND BANK
BONDS, SERIES 1994 A, ORIGINALLY DATED JUNE 1, 1994 AND ISSUED
ON JULY 19, 1994**

Notice is hereby given to the owners of the outstanding bonds designated above maturing on or after January 15, 2005 (the "Prior Bond Bank Bonds") that the Prior Bond Bank Bonds have been called for redemption prior to maturity on January 15, 2004 in accordance with their terms at a redemption price of 102%. The source of the funds to be used for such redemption is the principal of and interest on the direct obligations of the United States of America heretofore deposited with Fifth Third Bank of Central Indiana, as trustee (the "Trustee"), together with monies, if any, heretofore deposited with the Trustee.

The numbers and CUSIP numbers of the Prior Bond Bank Banks (and their respective interest rates and maturity dates) are set forth on the attached schedule.

The redemption price of and accrued interest on the Prior Bond Bank Bonds shall become due and payable on January 15, 2004 and from and after January 15, 2004 interest on the Prior Bond Bank Bonds shall cease to accrue and be payable.

Owners of the Prior Bond Bank Bonds will receive payment of the redemption price and accrued interest to which they are entitled upon presentation and surrender of the Prior Bond Bank Bonds at the principal corporate trust office of Fifth Third Bank, [address], Cincinnati, Ohio [zip code], as paying agent.

August 4, 1997

Dated this ____ day of _____, 2003.

FIFTH THIRD BANK
as Paying Agent

By: _____
Title _____

EXHIBIT F

<u>Date of</u> <u>Reinvestment*</u>	<u>Amount of</u> <u>Reinvestment</u>	<u>Maturity Date</u> <u>of Reinvestment</u>
--	---	--

*If any date specified is not a business day, such date will be the next following business day.

Proposal No. 495, 1997 was adopted on the following roll call vote; viz:

22 YEAS: Black, Borst, Boyd, Brents, Cockrum, Coughenour, Curry, Franklin, Gilmer, Gray, Jones, Massie, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

4 NAYS: Coonrod, Dowden, Golc, Hinkle

2 NOT VOTING: Bradford, McClamroch

1 ABSENT: Moriarty Adams

Proposal No. 495, 1997 was retitled SPECIAL ORDINANCE NO. 12, 1997, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 12, 1997

A SPECIAL ORDINANCE of the City of Indianapolis, Indiana (the "City") and the County of Marion, Indiana (the "County") concerning the advance refunding by the City of its City of Indianapolis Parks Project Revenue Bonds Series 1994 B, dated June 1, 1994 ("Series 1994 Bonds"), the issuance and sale of special revenue bonds to pay the costs thereof, the collection, segregation and distribution of the Revenues (as hereinafter defined), the safeguarding of the interests of the owners of the special revenue bonds, and other matters connected therewith, including repealing ordinances inconsistent herewith.

WHEREAS, the City issued its Series 1994 Bonds to provide funds to the Department of Parks and Recreation of the City ("Department") to renovate and improve the existing golf course and related facilities at the Coffin Municipal Golf Course, located in Indianapolis, Indiana ("Golf Course"); and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council") now finds that the Series 1994 Bonds should be refunded in order to eliminate certain of the restrictions and covenants imposed on the City in the operation, maintenance and improvement of certain of its municipally owned golf courses; that the refunding of the Series 1994 Bonds in advance of their stated maturity dates, together with accrued interest thereon and including all costs related to the refunding (the "Refunding") cannot be provided for out of funds of the Department or City now on hand and the Refunding should be accomplished by the issuance of special revenue bonds (the "Bonds"), payable solely from sources and in the manner provided for herein; and

WHEREAS, in furtherance of such purposes, the City is authorized by Indiana Code 5-1-5, 5-1-6, 5-1-14, 36-1-4-9, 36-3-1 and 36-10-4, to borrow money, issue bonds and provide for their payment; and

WHEREAS, the City-County Council now finds that the Refunding is necessary and will be of general benefit to the City and its citizens; and

WHEREAS, the City-County Council finds that it is advisable to issue its Bonds in an original aggregate principal amount not to exceed \$3,400,000 and to use the proceeds, together with funds on hand to accomplish the Refunding, and to pay for all costs related to the Refunding and the issuance of the Bonds hereunder; and

WHEREAS, IC 5-1.4 provides that a "qualified entity," which term includes the City, may issue and sell its bonds to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Bonds in a negotiated sale subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the City-County Council has determined that it will be in the best interest of the City to sell the Bonds to the Bond Bank in a negotiated sale; and

WHEREAS, the City-County Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of the Bonds have been complied with in accordance with the provisions of the Act hereinafter referred to; now, therefore,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Purpose of Issuance. The City, being the owner of and engaged in operating, through the Department, the Golf Course, now finds it necessary to provide funds to accomplish the Refunding and cause the Series 1994 Bonds to be surrendered and cancelled or to be paid solely from amounts to be held in the Escrow Agreement, as hereinafter described. The Refunding will allow the City to eliminate certain of the restrictions and covenants imposed on the City in the operation, maintenance and improvement of certain of its municipally owned golf courses.

The term "Act" where used in this Ordinance shall be construed to mean Indiana Code 5-1-5, 5-1-6, 5-1-14, 36-1-4-9, 36-3-1 and/or 36-10-4 and other applicable laws as in effect on the issue date of the obligations authorized herein.

SECTION 2. Bond Authorization. The City shall issue its special revenue obligations in an aggregate original principal amount not to exceed \$3,400,000 to be designated "City of Indianapolis, Indiana Taxable Parks Project Revenue Refunding Bonds" [with the year and any series or other references added, revised or removed as appropriate] (the "Bonds") for the purpose of procuring funds to apply to the Refunding, the payment of costs of issuance, and all other costs related to the Refunding. The City shall apply moneys currently held and subject to a lien in favor of the Series 1994 Bonds to the Refunding and other accounts as provided in Section 7 herein.

The Bonds shall be sold at par or with a discount (excluding original issue discount) which does not exceed three percent (3%) (with the exact discount to be negotiated with the Bond Bank by the Controller of the City or any person duly appointed to act in such officer's place and stead with regard to the issuance of the Bonds ["City Controller"]); shall be issued in fully registered form in denominations of not less than One Hundred Thousand Dollars (\$100,000) and in any integral multiple of Five Thousand Dollars (\$5,000) in excess thereof, numbered consecutively from R-1 up, and originally dated as of the date of delivery to the Bond Bank; and shall bear interest at a rate or rates not exceeding 9 percent per annum (expressed as the net interest cost of the Bonds inclusive of any original issue discount and with the exact rate for each individual maturity shall be negotiated with the Bond Bank by the City Controller), with such interest payable on January 15 and July 15 in each year, beginning no later than either the next January 15 or July 15 following the issuance of the Bonds (with the specific date to be determined by the City Controller prior to the issuance of the Bonds). Interest shall be calculated based on a 360-day calendar year containing twelve 30-day months. Principal shall be payable in lawful money of the United States of America, at the principal office of the Paying Agent (as hereinafter defined), and such Bonds shall mature annually or semi-annually (in amounts to be determined through negotiations) in numerical order on January 15 (or if determined to be semi-annually by the City Controller prior to the issuance of the Bonds, then on January 15 and July 15) of each year beginning no sooner than 1998 and ending no later than July 15, 2017 (as determined by the City Controller prior to the issuance of the Bonds) and in such amounts as are approved as authorized herein.

SECTION 3. Execution, Payment and Transfer Terms. The Bonds shall be signed in the name of the City by manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile

signature of the Clerk of the City-County Council ("Clerk"), who shall (if existing) affix the seal of the City to each of the Bonds manually or shall have the seal imprinted or impressed thereon by facsimile or any other means. Such officers or officials, by the signing of the Bonds (whether by their manual or facsimile signature) and a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures their facsimile signatures appearing on the Bonds and such acknowledgment shall constitute conclusive evidence that such officer or official approved the terms of the Bonds, after receiving the advice of the City's counsel, as and to the extent required to fix the terms thereof in a manner consistent with the authorization provided under this Ordinance. In case any officer or official whose signature appears on the Bonds shall cease to be such officer or official before the delivery of such Bonds, his or her signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or official had remained in office until such delivery.

The City Controller is hereby designated the registrar and paying agent for the Bonds (the "Registrar" or "Paying Agent") and is hereby charged with the responsibility of authenticating and providing for the registration, exchange and transfer of the Bonds. A qualified institution may be appointed by the City Controller to perform all or some portion of the duties of the Registrar or Paying Agent for the Bonds. The City Controller is hereby authorized to enter into such agreements or understandings with such institution as will enable the institution to perform the services required of a Registrar and Paying Agent. The City Controller may further authorize the payment of such fees as the institution may charge for the services it provides as Registrar and Paying Agent, and such fees may be paid from the Sinking Fund (as hereinafter defined) to pay the principal of and interest on the Bonds and fiscal agency charges.

All payments of interest on the Bonds shall be provided for by wire transfer of immediately available funds to the trustee named by the Bond Bank ("Bond Bank Trustee") under the Bond Bank Indenture, by and between the Bond Bank and the Bond Bank Trustee, pursuant to which the Bonds are acquired by the Bond Bank (the "Bond Bank Indenture") five business days prior to each Interest Payment Date (as defined in the Bond Bank Indenture), as the registered owner thereof, or if the Bond Bank transfers the Bonds, or any portion thereof, then, all payments of interest on the Bonds shall be paid by check or draft mailed or delivered one business day prior to the interest payment date to the registered owners thereof at their addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner as of the 1st day of the month next preceding any interest payment date (the "Record Date"). All payments on the Bonds shall be made in any coin or currency of the United States of America, which on the date of such payment shall be legal tender for the payment of public and private debts. Interest on Bonds which are authenticated on or before the Record Date which precedes the first interest payment date shall be paid from their original date. Interest on Bonds authenticated subsequent to the Record Date which precedes the interest payment date thereon shall be paid from the interest payment date to which interest has been paid as of the date on which such Bonds are authenticated, unless a Bond is authenticated between the Record Date and the interest payment date in which case the interest shall be paid from such interest payment date. Bonds authenticated on or subsequent to the first interest payment date shall be dated as of the interest payment date to which interest has been paid as of the date on which such Bonds are authenticated.

If the date for making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on which banking institutions in the area are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal day.

If any Bond shall not be presented for payment or redemption on the date fixed therefor, the City may deposit in trust with its depository bank an amount sufficient to pay such Bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with the bank for payment and the City shall have no further obligation or liability in respect thereto.

Each Bond shall be transferable or exchangeable only upon the books of the City kept for that purpose at the principal office of the Registrar, by the registered owner thereof in person, or by such owner's attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or such owner's attorney duly authorized in writing, and thereupon a new fully registered Bond, in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name

of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the City. The City, Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

SECTION 4. Redemption of Bonds. The Bonds of this issue maturing on and after a date (which date shall be within twelve (12) years from the dated date of such Bonds [the "Initial Call Maturity"]) to be selected by the City Controller shall be redeemable at the option of the City on the interest payment date either preceding or next preceding (as selected by the City Controller) the Initial Call Maturity, and on any date thereafter, on sixty (60) days' notice, in whole or in part, in any order of maturity selected by the City, and by lot within a maturity, at face value together with a premium not to exceed 2 percent (expressed in percentage of face value) (as determined by the City Controller), plus in each case accrued interest to the date fixed for redemption. Negotiation of such dates and premiums shall constitute selection by the City Controller thereof in accordance with the foregoing terms.

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration record of the City not less than sixty (60) days prior to the date fixed for redemption unless such redemption notice is waived by the owners of the bond or bonds redeemed. The notice shall specify the date and place of redemption and sufficient identification of the bonds called for redemption. The place of redemption may be determined by the City. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named and when the bonds shall be presented for redemption.

SECTION 5. Security Pledge. The Bonds, as to both principal and interest, shall be payable solely from and secured by an irrevocable pledge of and shall constitute a charge upon (a) the Revenues (herein defined as the revenues of the Golf Course, Riverside Municipal Golf Course and the Riverside Golf Academy (collectively, the "Facilities") remaining after the payment of the reasonable expenses of operation, repair and maintenance thereof) and (b) any and all amounts held in the Coffin/Riverside Parks Projects Revenue Fund into which such Revenues are required to be deposited, held and applied as provided herein. The City shall not be obligated to pay the Bonds or the interest thereon except from the Revenues and amounts held from time to time in the Coffin/Riverside Parks Projects Revenue Fund. The Bonds shall state on their face that the City shall not be obligated to pay the same or the interest thereon except from the sources and in the manner provided in this Ordinance.

SECTION 6. Form of Bonds. The form and tenor of the Bonds shall be substantially as follows (with such additions, deletions and modification as the Mayor and Clerk may authorize, as conclusively evidenced by their signatures thereon), with all blanks to be filled in properly prior to delivery thereof:

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF MARION

No. R- CITY OF INDIANAPOLIS, INDIANA
TAXABLE PARKS PROJECT REVENUE REFUNDING BONDS OF 1997, SERIES A

Original Date

Authentication Date

Registered Owner: _____, as Trustee for The Indianapolis Local Public Improvement Bond Bank pursuant to a Trust Indenture (the "Bond Bank Indenture") dated as of _____, 1997.

Principal Sum:

The City of Indianapolis, Indiana, in Marion County, State of Indiana (the "City"), a consolidated city of the first class with home rule powers organized and existing under the laws of the State of Indiana, for value received, hereby promises to pay to the Registered Owner set forth above (or registered assigns), solely from the sources and in the manner provided in the Ordinance hereinafter referred to, the Principal Sum set forth above in installments as set forth below (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon from the date hereof until each such installment of the Principal Sum is paid at the rate per annum specified below from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the 1st day of the month

next preceding an interest payment date and on or before such interest payment date in which case it shall bear interest from such interest payment date, or unless this bond is authenticated on or before _____ 1, 199_, in which case it shall bear interest from the Original Date, which interest is payable semi-annually on the fifteenth day of January and July of each year, beginning _____. Interest shall be calculated according to a 360-day calendar year containing twelve 30-day months.

The Principal Sum shall be paid in [annual][semi-annual] installments as follows:

PRINCIPAL INSTALLMENT PAYMENT DATE	PRINCIPAL SUM	INTEREST RATE

The Principal Sum due on this Bond shall be reduced by each principal payment.

The principal sum of this bond is payable at the principal office of _____ (the "Registrar" or "Paying Agent"), in _____, Indiana. Interest payments shall be made by wire transfer of immediately available funds to the trustee under the Bond Bank Indenture five business days prior to each Interest Payment Date (as defined in the Bond Bank Indenture), as the registered owner thereof, or if the Bond Bank transfers the Bonds, or any portion thereof, then, all payments of interest on the Bonds shall be paid by check or draft mailed or delivered one business day prior to the interest payment date to the registered owners thereof at their addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner as of the 1st day of the month next preceding any interest payment date. Principal of and premium, if any, on this Bond shall be paid upon presentation and surrender of this Bond at the principal corporate trust office of the Registrar and Paying Agent. All payments on the bond shall be made in coin or currency of the United States of America, which on the dates of such payment shall be legal tender for the payment of public and private debts.

THIS BOND SHALL CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN THE MEANING OF THE PROVISIONS AND LIMITATIONS OF THE CONSTITUTION OF THE STATE OF INDIANA. HOWEVER, THE CITY SHALL NOT BE OBLIGATED TO PAY THIS BOND OR THE INTEREST THEREON EXCEPT FROM THE SOURCES AND IN THE MANNER PROVIDED IN THE ORDINANCE HEREINAFTER REFERRED TO.

This bond is one of an authorized issue of bonds of the City, of like date, tenor and effect, except as to numbering, interest rates and dates of maturity, in the total amount of \$_____, numbered from R-1 up, issued for the purpose of providing funds to be applied for the refunding of certain outstanding bonds of the City, and to pay incidental expenses, as authorized by an ordinance adopted by the governing body of the City on the ___ day of _____, 1997, entitled "A SPECIAL ORDINANCE of the City of Indianapolis, Indiana and the County of Marion, Indiana concerning the advance refunding by the City of its City of Indianapolis, Indiana, Parks Project Revenue Bonds Series 1994 B, dated June 1, 1994 ("Series 1994 Bonds"), the issuance and sale of special revenue bonds to pay the costs thereof, the collection, segregation and distribution of the Revenues, the safeguarding of the interests of the owners of the special revenue bonds, and other matters connected therewith, including repealing ordinances inconsistent herewith" (the "Ordinance"), and in strict compliance with the provisions of Indiana Code 5-1-5, 5-1-6, 5-1-14, 36-1-4-9, 36-3-1 and/or 36-10-4 and other applicable laws relating to the issuance of revenue bonds, as amended (collectively, the "Act").

Pursuant to the provisions of the Act and the Ordinance, the principal and interest on this bond and all other bonds of this issue are payable solely from the Coffin/Riverside Parks Projects Revenue Fund (as described in the Ordinance) to be funded from the Revenues (hereinafter defined as the revenues of Coffin Municipal Golf Course, Riverside Municipal Golf Course and the Riverside Golf Academy remaining after the payment of the reasonable expenses of operation, repair and maintenance thereof).

The City irrevocably pledges the Revenues and any and all amounts held from time to time in the Coffin/Riverside Parks Projects Revenue Fund to the prompt payment of the principal of and interest on the bonds authorized by the Ordinance, of which this is one.

The City further covenants that it will set aside and maintain in the Coffin/Riverside Parks Projects Revenue Fund a sufficient amount of the Revenues to meet (a) the interest on the bonds of this issue authorized by the Ordinance, as such interest shall fall due, (b) the necessary fiscal agency charges for paying all such bonds and interest, (c) the principal of all such bonds, as such principal shall fall due, and (d) an additional amount as a margin of safety to create the reserve required by the Ordinance. Such required payments shall constitute a charge upon all the Revenues and any and all amounts held from time to time in the Riverside/Coffin Parks Projects Revenue Fund, all as more particularly described in the Ordinance.

The bonds of this issue maturing on _____, or thereafter, are redeemable at the option of the City on _____, or any date thereafter, on not less than sixty (60) days' notice, in whole or in part, in any order of maturity selected by the City and by lot within a maturity, at face value together with the following premiums (expressed in percentage of face value):

___% if redeemed on _____ or thereafter before _____;

___% if redeemed on _____ or thereafter before _____;

0% if redeemed on _____ or thereafter;

plus in each case accrued interest to the date fixed for redemption.

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration record of the City not less than sixty (60) days prior to the date fixed for redemption unless such redemption notice is waived by the owners of the bond or bonds redeemed. The notice shall specify the date and place of redemption and sufficient identification of the bonds called for redemption. The place of redemption may be determined by the City. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named and when the bonds shall be presented for redemption.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the City may deposit in trust with its depository bank an amount sufficient to pay such bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with the bank for payment and the City shall have no further obligation or liability in respect thereto.

This bond is subject to defeasance prior to redemption or payment as provided in the Ordinance and the owner of this bond, by the acceptance hereof, hereby agrees to all the terms and provisions contained in the Ordinance.

This bond is transferable or exchangeable only upon the books of the City kept for that purpose at the office of the Registrar, or its successor, by the registered owner hereof in person, or by such owner's attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or such owner's attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. The City, the Registrar and any paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

The bonds maturing in any one year are issuable only in fully registered form in the denomination of One Hundred Thousand Dollars (\$100,000) and in any integral multiple of Five Thousand Dollars (\$5,000) in excess thereof not exceeding the aggregate principal amount of the bonds maturing in any such year.

August 4, 1997

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the preparation and complete execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the City has caused this bond to be executed in its corporate name by the manual or facsimile signature of the Mayor of the City, its corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by the Clerk.

CITY OF INDIANAPOLIS, INDIANA

By: _____
Stephen Goldsmith, Mayor

Attest:

Suellen Hart, City Clerk

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

It is hereby certified that this bond is one of the bonds described in the within-mentioned Ordinance duly authenticated by the Registrar.

_____ as Registrar

By: _____
Authorized Representative

The following abbreviations, when used in the inscription of the face of the within Bond, shall be construed as though they were written out in full according to the applicable laws or regulations.

- TEN COM. as tenants in common
- TEN ENT. as tenants by the entireties
- JT TEN. as joint tenants with right of survivorship and not as tenants in common
- UNIF TRANSFERS MIN ACT. _____ Custodian _____
(Cust) (Minor)
under Uniform Transfers to Minors Act

(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR
OTHER IDENTIFYING NUMBER OF TRANSFEREE

(Please Print or Typewrite
Name and Address of Transferee)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney to transfer the within Bond on the registration books of the Registrar, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

Registered Owner
(NOTE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular without alteration or enlargement or any change whatsoever.)

SECTION 7. Preparation and Sale of Bonds. The City Controller is hereby authorized and directed to have the Bonds prepared, and the Mayor and Clerk are hereby authorized and directed to execute the Bonds in the form and manner herein provided. The City Controller is hereby authorized and directed to deliver the Bonds to the respective purchasers thereof after sale made in accordance with the provisions of this Ordinance, provided that at the time of the delivery the City Controller shall collect the full amount which the respective purchasers have agreed to pay therefor, plus accrued interest, if any, from the date thereof to the date of delivery. The Bonds herein authorized, as and to the extent paid for and delivered to the purchaser, shall be the binding special revenue obligations of the City, payable out of the Revenues to be set aside into the Coffin/Riverside Parks Projects Revenue Fund as herein provided, and the proceeds derived from the sale of the Bonds shall be and are hereby set aside for the Refunding of the Series 1994 Bonds and the expenses necessarily incurred in connection therewith. In the event it shall be hereafter determined that it is not necessary to issue all of the Bonds authorized by this Ordinance, the City Controller shall be authorized to sell and deliver a lesser amount of Bonds than herein authorized. The proper officers or officials of the City are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary, to carry out the provisions of this Ordinance.

The City Controller is hereby authorized and directed to negotiate the sale of and deliver the Bonds to Bond Bank in accordance with a Purchase Agreement (the "Purchase Agreement") between the City and the Bond Bank. The Mayor and Clerk are hereby authorized to execute and deliver the Purchase Agreement in a form and substance as determined by such officials, with terms consistent with this Ordinance, including a final principal amount, interest rates, maturity schedule, and terms of redemptions. The proper officers of the City are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary, to carry out the provisions of this Ordinance.

The City Controller is hereby authorized to assist the Bond Bank in its appointment of a financial institution to serve as escrow trustee ("Escrow Trustee") in accordance with the terms of an Escrow Deposit Agreement, between the Bond Bank and the Escrow Trustee ("Escrow Agreement") in a form comparable to attached hereto as Exhibit A.

The City Controller is hereby authorized and directed to transfer cash and investments on-hand as the date of the issuance of the Bonds related to the Series 1994 Bonds, first to the Trust Account as and to the extent set forth in the Escrow Agreement to accomplish the Refunding of the Series 1994 Bonds (and their surrender and cancellation), next to fund the respective requirements of the accounts within the Coffin/Riverside Parks Projects Revenue Fund as herein provided, and lastly to the regular accounts of the City available to the Department.

SECTION 8. Use of Proceeds. The accrued interest received at the time of the delivery of the Bonds, shall be deposited in the Coffin/Riverside Parks Projects Revenue Fund and credited to the Bond and Interest Account. Concurrently with the delivery of the Bonds, the City Controller shall assist the Bond Bank with its acquisition, with the proceeds of the Bonds and cash on hand, "government obligations" (as defined in the indenture securing the Series 1994 Bonds), which includes United States Treasury Obligations--State and Local Government Series (the "Government Obligations") to be used, together with certain cash from the proceeds of the Bonds and cash on hand as set forth in the Escrow Agreement, to refund the Series 1994 Bonds (and their surrender and cancellation), all as set forth in the Escrow Agreement. In order to refund the Series 1994 Bonds (and their surrender and cancellation), the City Controller shall cause to be deposited Government Obligations and/or cash with the Escrow Trustee under the Escrow Agreement in an amount sufficient to cause the Series 1994 Bonds to be surrendered and cancelled or to provide moneys for payment of principal of and interest on the Series 1994 Bonds until their final maturity or redemption.

Costs of Issuance of the Bonds not otherwise paid, shall be paid from the remaining proceeds by the City Controller. When all the costs of issuance of the Bonds have been paid, the City Controller shall then transfer any amount then remaining from the proceeds of the Bonds to the Coffin/Riverside Parks Projects Revenue Fund and other Funds as herein provided.

SECTION 9. Coffin/Riverside Parks Projects Revenue Fund. The City has previously created and established a fund to be designated (with additional designations as deemed useful by the officer or official establishing such account) as the Coffin/Riverside Parks Project Revenue Fund and there shall be deposited into the Coffin/Riverside Parks Projects Revenue Fund, upon receipt, all Revenues.

There shall be set aside and held in the Coffin/Riverside Parks Projects Revenue Fund, as available, and as hereinafter provided, a sufficient amount of the Revenues to meet the requirements of the Bond and Interest Account and the Debt Service Reserve Account hereby created herein. Such payments shall continue until the balance in the Bond and Interest Account, plus the balance in the Debt Service Reserve Account hereinafter described, at least equals the amounts required below. Any moneys in the Coffin/Riverside Parks Projects Revenue Fund in excess of the requirements of the Bond and Interest Account and the Debt Service Reserve Account as hereinafter described, may be retained in the Coffin/Riverside Parks Projects Revenue Fund, or expended or transferred consistent with the terms of the Ordinance establishing such fund.

SECTION 10. Bond and Interest Account. There is hereby created and established within the Coffin/Riverside Parks Projects Revenue Fund a separate account of the City for the payment of the principal of and interest on the Bonds and the payment of any fiscal agency charges in connection with the payment of the Bonds and interest, which Fund shall be designated (with additional designations as deemed useful by the officer or official establishing such account) as the "Bond and Interest Account". There shall be credited, on the fifth day of each calendar month, to the Bond and Interest Account, an amount equal to the sum of (i) one-sixth ($1/6$) of the interest on all then outstanding Bonds payable on the then next succeeding interest payment date (except with respect to the first interest payment date, such fraction credited on a monthly basis shall be sufficient to assure that funds will be available to make such interest payment) and (ii) at least one-twelfth ($1/12$) of the principal (provided, if the Bonds are issued with scheduled principal payments due on January 15 and July 15 of each year, then in lieu of one-twelfth ($1/12$) of such principal payment, such transfer shall be at least one-sixth ($1/6$) of such principal payment) on all then outstanding Bonds payable on the then next succeeding principal payment date (except with respect to the first principal payment date, such fraction credited on a monthly basis shall be sufficient to assure that funds will be available to make such principal payment), until the amount of interest and principal payable on the then next succeeding respective interest and principal payment dates shall have been so credited. There shall similarly be credited to the account the amount necessary to pay the bank's fiscal agency charges for paying principal and interest on the Bonds as the same become payable. The City shall, from the sums deposited in the Coffin/Riverside Parks Projects Revenue Fund and credited to the Bond and Interest Account, remit promptly to the registered owner and to the bank sufficient moneys to pay the principal and interest on the due dates thereof together with the amount of bank fiscal agency charges.

SECTION 11. Debt Service Reserve Account. There is hereby created and established within the Coffin/Riverside Parks Projects Revenue Fund a separate account of the City as a margin for safety and protection against default in the payment of principal of and interest on outstanding Bonds, which Fund shall be designated (with additional designations as deemed useful by the officer or official establishing such account) as the "Debt Service Reserve Account." Following the issuance of the Bonds, there shall be credited to and become a part of the Debt Service Reserve Account not less than the required monthly deposit or such higher amount as fixed by the City Controller from the Coffin/Riverside Parks Projects Revenue Fund on the fifth day of each calendar month until the balance therein equals, but does not exceed maximum annual debt service on the Bonds ("Reserve Requirement"). The amount of such deposits shall be equal in amount and sufficient in the aggregate to accumulate the Reserve Requirement within five (5) years from the date of delivery of the Bonds. As long as the Bonds are held by the Bond Bank, any amounts held in the Debt Service Reserve Account shall be immediately transferred to the Bond Bank trustee for deposit in the debt service reserve fund maintained and held pursuant to the terms of the Bond Bank Indenture. To the extent principal or interest on the Bonds is paid from such reserve, the City shall be credited with making such payments and any obligations under this Ordinance paid thereby shall be deemed satisfied. To the extent amounts are held by the Bond Bank trustee within the debt service reserve fund maintained pursuant to the terms of the Bond Bank Indenture, such amounts shall be deemed held within the Debt Service Reserve Account for purposes of satisfying the Reserve Requirement herein provided. The balance within the Debt Service Reserve Account shall never exceed the Reserve Requirement.

The moneys in the Debt Service Reserve Account shall be used to pay current principal and interest on outstanding Bonds to the extent that moneys in the Bond and Interest Account are insufficient for that purpose. Any deficiency in the balance maintained in the Debt Service Reserve Account shall be promptly made up from the next available Revenues remaining after credits into the Bond and Interest Account. In the event the money in the Debt Service Reserve Account is used to pay principal and interest on outstanding Bonds, then such depletion of the balance in the Debt Service Reserve Account shall be made up from the next available revenues in the Coffin/Riverside Parks Projects Revenue Fund after the credits into the Bond and Interest Account.

SECTION 12. Nature of Accounts and Investments. The Coffin/Riverside Parks Projects Revenue Fund may be held as one or more separate bank accounts of the City or maintained within an existing account of the City so long as records are maintained to separately account therefor. All moneys deposited in the bank accounts shall be deposited, held, secured and invested as public funds in accordance with the public depository laws and investment laws of the State of Indiana as now in effect (including particularly Indiana Code 5-13-9) or as hereafter supplemented and amended. All earnings on the investments held in each bank account shall be retained in the respective fund or account and used for the purposes or transferred as therein provided.

The City Controller is hereby authorized pursuant to Indiana Code 5-1-14-3 to invest moneys pursuant to the provisions of this Ordinance (subject to applicable requirements of federal law to ensure such yield is the then current market rate) to the extent necessary or advisable to preserve the exclusion from gross income of interest on the Bonds under federal law.

The City Controller shall keep full and accurate records of investment earnings and income from moneys held in the funds and accounts created or referenced herein. In order to comply with the provisions of this Ordinance, the City Controller is hereby authorized and directed to employ consultants or attorneys from time to time to advise the City.

SECTION 13. Maintenance of Books and Records. The Department and City shall keep proper books of records and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues collected from the Facilities and all disbursements made on account of the Facilities, and all transactions relating to the Facilities. There shall be prepared and furnished to the original purchasers of the Bonds and, upon written request, to any subsequent owner of at least \$25,000 in principal amount of the Bonds, not more than one hundred twenty (120) days after the close of each fiscal year, complete operating income and expense statements of the Facilities, covering the preceding fiscal year and the balances in the several funds and accounts created or continued by this Ordinance. The fiscal year of the Facilities shall be from January 1 to December 31, both inclusive. Copies of all such statements and reports, together with all audits of the Facilities made available to the City, shall be kept on file with the Department. Any owner or owners of at least \$25,000 in principal amount of the Bonds then outstanding shall have the right at all reasonable times to inspect the records, accounts, statements, audits, reports and data of the Department relating to the Facilities. Such inspections may be made by representatives duly authorized by written instrument.

SECTION 14. Defeasance of Bonds. If, when the Bonds issued hereunder or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or any portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds then outstanding or any portion thereof shall be paid; or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America (including obligations issued or held in book entry form in the records of the Department of Treasury), the principal of and the interest on which when due will provide sufficient moneys, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks the principal of and interest on which when due will provide sufficient moneys, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds issued hereunder or any designated portion thereof shall no longer be deemed outstanding or entitled to the pledge of the Revenues.

SECTION 15. Additional Covenants. For the purpose of further safeguarding the interests of the owners of the Bonds herein authorized, it is specifically provided as follows:

(a) The City shall at all times cause the Facilities to be maintained in good condition and cause the same to be operated in an efficient manner and at a reasonable cost.

(b) The City shall cause the Department to establish and maintain just and equitable rates or charges for the use of the Facilities; that such rates or charges shall be sufficient in each year to provide revenues to the City that are sufficient for the payment of the proper and reasonable expenses of operation, repair and maintenance of the Facilities, and to meet the requirements of the Bond and Interest Account and the Debt Service Reserve Account under this Ordinance.

(c) The City shall cause to be acquired and maintained insurance on the insurable parts of the Facilities of a kind and in an amount such as would normally be carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana. Insurance proceeds and condemnation awards shall be used in replacing or repairing the property destroyed or damaged; or if not used for that purpose shall be treated and applied in the same manner as the Revenues. As an alternative to maintaining such insurance, the City may maintain a self-insurance program with catastrophic or similar coverage so long as such program meets the requirements of applicable laws and is maintained in a manner consistent with programs maintained by similarly situated governmental entities.

(d) So long as any of the Bonds are outstanding, the City shall not mortgage, pledge or otherwise encumber the Facilities, or any part thereof, nor shall it sell or otherwise dispose of any portion thereof except to replace equipment which may become worn out or obsolete or no longer suitable for use at the Facilities.

(e) Except as otherwise permitted pursuant to this Ordinance, so long as any of the Bonds herein authorized are outstanding, no additional Bonds or other obligations pledging any portion of the Revenues shall be authorized, executed or issued by the City except such as shall be made subordinate and junior in all respects to the Bonds herein authorized, unless all of the Bonds herein authorized are redeemed, retired or defeased pursuant to Section 14 hereof as of or coincidentally with the delivery of such additional Bonds or other Bonds.

(f) The provisions of this Ordinance shall constitute a contract by and between the City and the owners of the Bonds herein authorized, and after the issuance of the Bonds, this Ordinance shall not be repealed or amended in any respect which will adversely affect the rights of the owners of the Bonds, nor shall the City-County Council adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of the Bonds or the interest thereon remain unpaid. Excluding the changes set forth in Section 16 of this Ordinance requiring the consent of all Bondholders, this Ordinance may be amended without the consent of the owners of the Bonds if the City-County Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the Bonds.

(g) The provisions of this Ordinance shall be construed to create a trust in the proceeds of the sale of the Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this Ordinance and of the Act. The provisions of this Ordinance shall also be construed to create a trust in the portion of the Revenues herein directed to be set apart and paid into the Coffin/Riverside Parks Projects Revenue Fund for the uses and purposes of the fund as in this Ordinance set forth. The owners of the Bonds shall have all of the rights, remedies and privileges set forth in the provisions of the Act and this Ordinance, including the right to have a receiver appointed to administer the Facilities, in the event of default in the payment of the principal of or interest on any of the Bonds herein authorized or in the event of default in respect to any of the provisions of this Ordinance or the Act.

SECTION 16. Amendments with Bondholder Consent. Subject to the terms and provisions contained in this Section and as permitted elsewhere in this Ordinance (including Section 15 herein), and not otherwise, the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the Bonds issued pursuant to this Ordinance and then outstanding shall have the right, from time to time, anything contained in this Ordinance to the contrary notwithstanding, to consent to and approve the adoption by the City of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

- (a) An extension of the maturity of the principal of or interest on any Bond issued pursuant to this Ordinance or the extension of mandatory sinking fund redemption dates, if any; or
- (b) A reduction in the principal amount of any Bond or the rate of interest thereon; or
- (c) The creation of a lien upon or a pledge of the Revenues ranking prior to the pledge thereof created by this Ordinance; or
- (d) A preference or priority of any Bond or Bonds issued pursuant to this Ordinance over any other Bond or Bonds issued pursuant to the provisions of this Ordinance; or
- (e) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance; or
- (f) A reduction in the Reserve Requirement.

The owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the appropriate City Controller. No owner of any Bond issued pursuant to this Ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City or its officers or officials from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the City and all owners of Bonds issued pursuant to the provisions of this Ordinance then outstanding, shall thereafter be determined, exercised and enforced in accordance with this Ordinance, subject in all respect to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the City and the owners of the Bonds authorized by this Ordinance, and the terms and provisions of the Bonds and this Ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the City and the consent of the owners of all the Bonds issued pursuant to this Ordinance then outstanding.

SECTION 17. Disclosure. The City Controller is authorized to cause to be prepared the final form of the Preliminary Official Statement (or Offering Circular), if determined to be necessary, and to find and determine it to be final as of its date, except for the omission of the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, any other terms or provisions required to be specified in a competitive bid, ratings, other terms of the Bonds depending on such matters, and the identity of the underwriter(s). The form of the Preliminary Official Statement (or Offering Circular) as approved shall be maintained in the records of the Clerk. The Preliminary Official Statement (or Offering Circular) and the final Official Statement (or Offering Circular) are hereby authorized for distribution to prospective purchasers and other interested parties subject to the prior approval authorized herein.

The City Controller is authorized and directed to execute and deliver a final Official Statement (or Offering Circular), if determined to be necessary, in substantially the form of the Preliminary Official Statement (or Offering Circular), with such changes in form or substance as such official shall approve, such approval to be conclusively evidenced by the execution thereof.

If the use of a Preliminary Official Statement is determined to be necessary as provided above, the City hereby covenants to deliver or cause to be delivered to the initial purchaser of the Bonds within seven (7) business days after any final agreement to purchase, offer or sell the Bonds copies of the final Official Statement if prepared as authorized herein, in sufficient quantity to comply with Rule 15c2-12(b)(4) of the Securities and Exchange Commission and the applicable rules of the Municipal Securities Rulemaking Board.

If the use of a Preliminary Official Statement is determined to be necessary as provided above and no exemption therefrom is otherwise applicable, the City further hereby covenants to enter into with a counterparty reasonably acceptable to the initial purchaser of the Bonds, a continuing disclosure agreement in substantially the form approved by the City Controller in connection with the approval of the Preliminary Official Statement, with such changes in form or substance as such officials shall

August 4, 1997

approve, such approval to be conclusively evidenced by their execution thereof, for purposes of permitting the initial purchaser of the Bonds to comply with Rule 15c2-12(b)(5) of the Securities and Exchange Commission.

SECTION 18. Additional Authority. The Mayor, City Controller and the Clerk and any of them, is hereby authorized and directed to do and perform all acts and execute in the name of the City all such instruments, documents, papers or certificates which are necessary, desirable or appropriate to carry out the transactions contemplated by this Ordinance in such forms as such officers executing the same shall deem proper, to be conclusively evidenced by the execution thereof.

SECTION 19. Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 20. Effective Date. This Ordinance shall be in full force and effect from and after its passage.

EXHIBIT A

ESCROW DEPOSIT AGREEMENT

Dated as of _____, 1997
By and Among

FIFTH THIRD BANK OF CENTRAL INDIANA
as Trustee

FIFTH THIRD BANK
as Registrar and Paying Agent
and

THE INDIANAPOLIS LOCAL PUBLIC IMPROVEMENT BOND BANK
ESCROW DEPOSIT AGREEMENT

This Escrow Deposit Agreement, dated as of _____, 1997 (the "Escrow Agreement"), by and among The Indianapolis Local Public Improvement Bond Bank (the "Issuer"), Fifth Third Bank of Central Indiana, as trustee (the "Trustee") and Fifth Third Bank (the "Paying Agent or Registrar"), as Paying Agent and Registrar under the Trust Indenture dated as of June 1, 1994 (the "Indenture") by and among the Issuer, the Trustee and the Paying Agent.

WITNESSETH

WHEREAS, the Indenture provided for the issuance of the Issuer's Bonds, Series 1994 A (the "Prior Bond Bank Bonds") issued in an original aggregate principal amount of \$6,500,000, in order to acquire (a) City of Indianapolis (the "City") Parks Project Revenue Bonds, Series 1994 A, dated June 1, 1994, issued in an original aggregate principal amount of \$3,280,000 (the "Prior City Whispering Hills Project Bonds") in order to finance or refinance improvements made at Whispering Hills Municipal Golf Course and (b) the City's Parks Project Revenue Bonds, Series 1994 B, dated June 1, 1994, issued in an original aggregate principal amount of \$3,220,000 (the "Prior City Coffin Project Bonds") in order to finance or refinance improvements made at Coffin Municipal Golf Course; and

WHEREAS, the City has determined that it is in its best interest to advance refund the Prior City Whispering Hills Project Bonds by issuing its Parks Project Revenue Refunding Bonds of 1997, Series A (the "1997 City Whispering Hills Project Refunding Bonds"); and

WHEREAS, the Issuer has determined that it is in its best interest to advance refund that pro-rata share of the Prior Bond Bank Bonds related to its Bonds, Series 1997 _ (the "Series 1997 Tax-Exempt Bonds") by surrendering the Prior City Whispering Hills Project Bonds for cancellation and acquiring the 1997 City Whispering Hills Project Refunding Bonds; and

WHEREAS, the City has determined that it is in its best interest to advance refund the Prior City Coffin Project Bonds by issuing its Taxable Parks Project Revenue Refunding Bonds of 1997, Series A (the "1997 City Coffin Project Refunding Bonds"); and

WHEREAS, the Issuer has determined that it is in its best interest to advance refund that pro-rata share of the Prior Bond Bank Bonds (which together with the pro-rata share of the Prior Bond Bank Bonds advance refunded by issuing the Series 1997 Tax-Exempt Bonds constitutes all of the outstanding Prior Bond Bank Bonds) related to its Taxable Bonds, Series 1997 _ (the "Series 1997 Taxable Bonds") by surrendering the Prior City Coffin Project Bonds for cancellation and acquiring the 1997 City Coffin Project Refunding Bonds; and

WHEREAS, the foregoing will result in all of the outstanding Prior Bond Bank Bonds being defeased under terms of the Indenture and payable solely from the Escrow Fund herein created and in the Prior City Whispering Hills Project Bonds and the Prior City Coffin Project Bonds being surrendered and cancelled according to their terms.

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants hereinafter set forth, the parties hereto agree as follows:

Section 1. Escrow Fund. Pursuant to Article XI of the Indenture, the Trustee shall create and maintain a separate fund designated as the "Escrow Fund" to be held and applied by the Trustee in accordance with the provisions of Section 11.01 of the Indenture which provisions are incorporated herein by reference. All terms used herein shall have the meaning set forth in the Indenture.

Section 2. Funding of the Escrow Fund. Concurrently with the execution of this Escrow Agreement, there is deposited with the Trustee the following sums from the source identified:

- (I) (a) \$ _____ from proceeds of the Series 1997 Tax-Exempt Bonds, (b) \$ _____ from proceeds of the Prior Bond Bank Bonds held in the Debt Service Reserve Account under the Indenture, and (c) \$ _____ held in the TIF Revenues Debt Service Subaccount related to the Prior City Whispering Hill Project Bonds; and
- (II) (a) \$ _____ from proceeds of the Series 1997 Taxable Bonds, (b) \$ _____ from proceeds of the Prior Bond Bank Bonds held in the Debt Service Reserve Account under the Indenture, (c) \$ _____ held in the Common Debt Service Subaccount related to the Prior City Coffin Project Bonds and (d) \$ _____ held in the _____ related to the Prior City Coffin Project Bonds.

\$ _____ of the sum identified in clause (I)(a) of the prior paragraph is to be used to purchase the direct and general obligations of the United States of America or obligations unconditionally guaranteed by the United States of America which are not redeemable prior to maturity other than at the option of the holder thereof ("Government Obligations") described in Part I of Exhibit A hereto. \$ _____ of the sum identified in clause (II)(a) of the prior paragraph is to be used to purchase the Government Obligations described in Part II of Exhibit A hereto. \$ _____ of the remaining sums identified in the prior paragraph is to be used to purchase the Government Obligations described in Part III of Exhibit A hereto.

As used herein the term "Escrow Fund Government Obligations" means the Government Obligations described in Exhibit A attached hereto and in the event Float Securities or Substituted Securities (each as hereinafter defined) are acquired pursuant to this Escrow Agreement, the term shall thereafter include any such Float Securities and Substituted Securities. The Trustee hereby acknowledges receipt of the Escrow Fund Government Obligations.

Section 3. Irrevocable Deposit; Application of Escrow Fund. The deposit pursuant to Section 2 hereof, of the Escrow Fund Government Obligations and cash in the amount of \$ _____ in the Escrow Fund shall constitute an irrevocable deposit thereof, and the interest earned thereon and any increment thereto (except to the extent provided in Section 6 herein), shall be held solely as a trust fund for the benefit of the holders of the Prior Bond Bank Bonds separate and apart from other funds of the Issuer, if any, or of the Trustee or of the Paying Agent. The amounts held in the Escrow Fund shall be applied by the Paying Agent upon transfer of such amounts by the Trustee to the payment of the interest and premium (if applicable) on and the principal of the Prior Bond Bank Bonds as described in Exhibit B attached hereto.

Section 4. Payment of the Prior Bond Bank Bonds. On each interest and principal payment date for the Prior Bond Bank Bonds, the Trustee agrees to make available to the Paying Agent sufficient amounts (but solely from the Escrow Fund) to pay, and the Paying Agent, in its capacity as paying

agent, agrees to pay with such amounts, the interest and premium (if applicable) on and principal of the Prior Bond Bank Bonds due on such dates, all as more specifically described in Exhibit B hereto.

Section 5. Notices of Refunding and Redemption. The Trustee and the Paying Agent hereby acknowledge receipt of the irrevocable instructions of the Issuer to provide notice of refunding and redemption in accordance with the Indenture attached hereto as Exhibit C. The Paying Agent agrees to mail notice of the refunding, on behalf of the Issuer, to those persons set out in Section 3.03 of the Indenture, as soon as practicable and substantially in the form attached hereto as Exhibit D. Further, the Paying Agent agrees to give notice of redemption, on behalf of the Issuer, at least thirty (30) days but not more than sixty (60) days prior to January 15, 2004, to the holders of the Prior Bond Bank Bonds in accordance with Section 3.03 of the Indenture, such notice to be substantially in the form attached hereto as Exhibit E; additionally such notice (in substantially the form attached hereto as Exhibit E) shall also be given by the Paying Agent in the manner set forth in Section 3.03(A)(2) of the Indenture.

Section 6. Float Securities and Substituted Securities. Except as provided herein, the Trustee shall have no power or duty to invest any funds held under this Escrow Agreement or to sell, transfer or otherwise dispose of the cash or Escrow Fund Government Obligations held hereunder.

The Trustee shall to the extent possible reinvest the maturity proceeds of and earnings from the Escrow Fund Government Obligations described in Exhibit A on the dates scheduled in Exhibit F attached hereto in other Government Obligations (the "Float Securities") maturing on or before the dates scheduled in Exhibit F at a yield not in excess of _____%; provided however, that each such reinvested shall be in accordance with Section 9 herein. The Trustee shall notify the Issuer and nationally recognized bond counsel selected by the Issuer to render the opinion referred to below if any such reinvestment cannot be made in accordance with the terms of the preceding sentence and shall comply with the reinvestment instructions of the Issuer so long as the Float Securities to be reinvested in mature on or before the dates scheduled in Exhibit F and the Trustee receives an unqualified opinion of nationally recognized bond counsel to the effect that such reinvestment would not cause any of the Prior Bond Bank Bonds or the Series 1997 Tax-Exempt Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended and any regulations or rulings pertaining thereto (the "Code"). Earnings from any reinvestment in Float Securities in excess of the maturity proceeds of and earnings from the Escrow Fund Government Obligations maturing as described in Exhibit A shall be immediately paid over to the Issuer or applied in accordance with the Indenture.

At the written request of the Issuer and upon compliance with the conditions hereinafter set forth, the Trustee shall have the power to sell, transfer, request the redemption or otherwise dispose of some or all of the Escrow Fund Government Obligations held in the Escrow Fund, to substitute other Government Securities ("Substituted Securities") and to alter the instructions for reinvestment in Float Securities. The foregoing may be effected only if (i) the substitution of the Substituted Securities for all or a portion of the existing Escrow Fund Government Obligations occur simultaneously; (ii) the Trustee shall receive an unqualified opinion of nationally recognized bond counsel to the effect that such disposition and substitution would not cause any of the Prior Bond Bank Bonds or the Series 1997 Tax-Exempt Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and that the conditions of this section as to the disposition and substitution have been satisfied; and (iii) the Trustee shall receive from a firm of independent certified public accountants a certification that, immediately after such transaction, the principal of and interest on the Escrow Fund Government Obligations then held in the Escrow Fund (without taking into account any reinvestment thereof) will, together with other cash on deposit in the Escrow Fund available for such purposes, be sufficient to pay when due the interest and premium (if applicable) on and the principal of the Prior Bond Bank Bonds in accordance with Exhibit B.

Section 7. Amendments. This Escrow Agreement is made for the benefit of the Issuer and the holders from time to time of the Prior Bond Bank Bonds and it shall not be repealed, revoked, altered or amended without the written consent of all such holders, the Trustee, the Paying Agent and the Issuer; provided, however, that the Issuer, the Paying Agent and the Trustee may, without the consent of, or notice to, such holders, amend this Escrow Agreement or enter into such agreements supplemental to this Escrow Agreement, in their sole judgment and discretion, as shall not materially adversely affect the rights of such holders, for any one or more of the following purposes: (i) to cure any ambiguity or formal defect or omission in this Escrow Agreement; (ii) to grant to, or confer upon, the Trustee and/or the Paying Agent for the benefit of the holders of the Prior Bond Bank Bonds, any additional rights, remedies, powers or authority that may lawfully be granted to, or conferred upon, the Trustee and/or the

Paying Agent; and (iii) to include under this Escrow Agreement additional funds, securities or properties.

Section 8. Termination. This Escrow Agreement shall terminate when the Prior Bond Bank Bonds have been paid and discharged in accordance with this Escrow Agreement, and any remaining cash and Escrow Fund Government Obligations have been paid over by the Trustee or the Paying Agent as described in the Indenture.

Section 9. Tax Covenant. The Issuer covenants and agrees that the proceeds from the sale of the Series 1997 Tax-Exempt Bonds, any monies attributable to the proceeds of the Prior Bond Bank Bonds, amounts received from the investment of the proceeds of the Prior Bond Bank Bonds and the Series 1997 Tax-Exempt Bonds and any other amounts treated as proceeds of the Series 1997 Tax-Exempt Bonds under the provisions of the Code shall not be invested or otherwise used in a manner which would cause the Prior Bond Bank Bonds or the Series 1997 Tax-Exempt Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code. Further, the Issuer covenants and agrees to comply with restrictions placed on investments and the certifications regarding arbitrage delivered in connection with the closing of the Prior Bond Bank Bonds. Subject to the restrictions contained elsewhere in this Agreement, the Trustee will invest all such monies as directed by the Issuer.

Section 10. Paying Agent's Compensation. The Paying Agent's acts as registrar and paying agent for the Prior Bond Bank Bonds shall constitute services rendered and the Paying Agent hereby acknowledges receipt of compensation in payment of all such ordinary and customary services; provided, however, the Issuer agrees to pay additional compensation to the Paying Agent for any and all reasonable and necessary services, expenses, reimbursements and indemnity related to extraordinary circumstances in connection with the administration of its duties as registrar and paying agent; and, provided further that notwithstanding the terms of the Indenture under no circumstances shall the Paying Agent be entitled to any lien whatsoever on any monies or obligations in the Escrow Fund for the payment of fees and expenses for services rendered by the Paying Agent as registrar and paying agent hereunder or otherwise.

Section 11. Trustee's Compensation. The Trustee's acts as trustee for the Prior Bond Bank Bonds shall constitute services rendered and the Trustee hereby acknowledges receipt of compensation in payment of all such ordinary and customary services; provided, however, the Issuer agrees to pay additional compensation to the Trustee for any and all reasonable and necessary services, expenses, reimbursements and indemnity related to extraordinary circumstances in connection with the administration of its duties as Trustee; and, provided further that notwithstanding the terms of the Indenture under no circumstances shall the Trustee be entitled to any lien whatsoever on any monies or obligations in the Escrow Fund for the payment of fees and expenses for services rendered by the Trustee under this Escrow Agreement.

Section 12. Severability. If any one or more of the covenants or agreements provided in this agreement on the part of the Issuer, the Paying Agent or the Trustee to be performed should be determined by a court of competent jurisdiction to be contrary to law, such covenants or agreements shall be null and void and shall be deemed separate from the remaining covenants and agreements herein contained and shall in no way affect the validity of the remaining provisions of this Escrow Agreement.

Section 13. Counterparts. This Escrow Agreement may be executed in several counterparts, all or any of which shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument.

Section 14. Governing Law. This Escrow Agreement shall be construed under the laws of the State of Indiana.

Section 15. Headings. The paragraph headings used in this Escrow Agreement are for convenience of references only.

IN WITNESS WHEREOF, the parties hereto have each caused this Escrow Agreement to be executed by their duly authorized officers and their respective corporate seals (if any) to be hereunto affixed and attested as of the date first above written.

August 4, 1997

**THE INDIANAPOLIS LOCAL PUBLIC
IMPROVEMENT BOND BANK**

By: _____
Chairman

Attest:

Executive Director

**FIFTH THIRD BANK OF CENTRAL
INDIANA, as Trustee**

By: _____

Attest:

**FIFTH THIRD BANK, as Paying Agent
and Registrar**

By: _____

Attest:

- EXHIBIT A Escrow Fund Government Securities
- EXHIBIT B Schedule of Refunded Bond Interest, Principal and Premium Payment
- EXHIBIT C Irrevocable Instructions
- EXHIBIT D Bond Holder Defeasance Notice
- EXHIBIT E Refunded Redemption Notice
- EXHIBIT F Reinvestment Schedule

EXHIBIT A

The Escrow Fund Government Securities are further described on the transaction confirmation reports attached as part of this Exhibit A.

<u>Maturity Date</u>	<u>Maturing Principal</u>	<u>PART I</u> <u>Rate</u>	<u>Description</u>
----------------------	---------------------------	------------------------------	--------------------

<u>Maturity Date</u>	<u>Maturing Principal</u>	<u>PART II</u> <u>Rate</u>	<u>Description</u>
----------------------	---------------------------	-------------------------------	--------------------

<u>Maturity Date</u>	<u>Maturing Principal</u>	<u>PART III</u> <u>Rate</u>	<u>Description</u>
----------------------	---------------------------	--------------------------------	--------------------

EXHIBIT B

SCHEDULE OF PRIOR BOND BANK BONDS INTEREST,
PRINCIPAL AND PREMIUM PAYMENTS

<u>Date</u>	<u>Principal</u>	<u>Premium</u>	<u>Interest</u>	<u>Period Total</u>
1/15/98	\$180,000	-0-		
7/15/98	-0-	-0-		
1/15/99	260,000	-0-		
7/15/99	-0-	-0-		
1/15/00	205,000	-0-		
7/15/00	-0-	-0-		
1/15/98	230,000	-0-		
7/15/01	-0-	-0-		
1/15/98	235,000	-0-		
7/15/02	-0-	-0-		
1/15/03	260,000	-0-		
7/15/03	-0-	-0-		
1/1/04	4,860,000	-0-		

EXHIBIT C

IRREVOCABLE INSTRUCTIONS

The undersigned officers of The Indianapolis Local Public Improvement Bond Bank (the "Issuer") hereby irrevocably instructs Fifth Third Bank, as Paying Agent, as follows:

(i) to send by first-class mail, postage prepaid, as provided in Article III of the Trust Indenture dated as of June 1, 1994 (the "Indenture"), notice of redemption of the Bonds, Series 1994 A (the "Prior Bond Bank Bonds") maturing on or after January 15, 2005; and

(ii) to send by first-class mail, postage prepaid, as soon as practicable, a notice to the Holders of the Prior Bond Bank Bonds that (I) the deposit required by Article XI has been made with the Trustee and that such Prior Bond Bank Bonds are deemed to have been paid and cease to be entitled to any rights under the lien of the Indenture and (II) moneys are to be available for the payment (a) the principal of and interest on all Prior Bond Bank Bonds as the same become due on each payment date on or before January 15, 2004 and (b) the premium on and principal of all of the other Prior Bond Bank Bonds on January 15, 2004.

In addition, the Trustee is instructed to give such further notice of redemption with respect to the Prior Bond Bank Bonds as required by Section 3.03 of the Indenture.

Dated this _____ day of _____, 1997.

**THE INDIANAPOLIS LOCAL PUBLIC
IMPROVEMENT BOND BANK**

By: _____
Chairman

Attest:

Executive Director

August 4, 1997

EXHIBIT D

**THE INDIANAPOLIS LOCAL PUBLIC IMPROVEMENT BOND BANK
BONDS, SERIES 1994 A, ORIGINALLY DATED JUNE 1, 1994 AND ISSUED
ON JULY 19, 1994**

Notice is hereby given to the owners of the outstanding bonds designated above maturing on or after January 15, 1998 (the "Prior Bond Bank Bonds") that (i) there has been deposited with Fifth Third Bank of Central Indiana, Indianapolis, Indiana, as Trustee (the "Trustee") monies and direct obligations of the United States of America permitted by the Trust Indenture dated as of June 1, 1994 (the "Indenture") by and among The Indianapolis Local Public Improvement Bond Bank (the "Issuer"), Fifth Third Bank, as registrar and paying agent for the Prior Bond Bank Bonds (the "Paying Agent") and the Trustee, the principal of and interest on which when due will provide amounts which, together with any other monies deposited with the Trustee, shall be sufficient and available to pay (a) the principal of and interest on all Prior Bond Bank Bonds as the same become due on each payment date on or before January 15, 2004 and (b) the premium on and principal of all of the other Prior Bond Bank Bonds on January 15, 2004; (ii) the Paying Agent has been irrevocably instructed to redeem on January 15, 2004 the Prior Bond Bank Bonds maturing on or after January 15, 2005; and (iii) the Prior Bond Bank Bonds are deemed to be paid in accordance with the Indenture and cease to be entitled to any rights under the lien of the Indenture.

Owners of the Prior Bond Bank Bonds will receive the principal or redemption price payments to which they are entitled upon presentation and surrender of the Prior Bond Bank Bonds at the principal corporate trust office of the Paying Agent, in Cincinnati, Ohio.

Dated this ___ day of _____, 1997.

**THE INDIANAPOLIS LOCAL PUBLIC
IMPROVEMENT BOND BANK**

By: _____
Chairman

Attest:

Executive Director

EXHIBIT E

**THE INDIANAPOLIS LOCAL PUBLIC IMPROVEMENT BOND BANK
BONDS, SERIES 1994 A, ORIGINALLY DATED JUNE 1, 1994 AND ISSUED
ON JULY 19, 1994**

Notice is hereby given to the owners of the outstanding bonds designated above maturing on or after January 15, 2005 (the "Prior Bond Bank Bonds") that the Prior Bond Bank Bonds have been called for redemption prior to maturity on January 15, 2004 in accordance with their terms at a redemption price of 102%. The source of the funds to be used for such redemption is the principal of and interest on the direct obligations of the United States of America heretofore deposited with Fifth Third Bank of Central Indiana, as trustee (the "Trustee"), together with monies, if any, heretofore deposited with the Trustee.

The numbers and CUSIP numbers of the Prior Bond Bank Banks (and their respective interest rates and maturity dates) are set forth on the attached schedule.

The redemption price of and accrued interest on the Prior Bond Bank Bonds shall become due and payable on January 15, 2004 and from and after January 15, 2004 interest on the Prior Bond Bank Bonds shall cease to accrue and be payable.

Owners of the Prior Bond Bank Bonds will receive payment of the redemption price and accrued interest to which they are entitled upon presentation and surrender of the Prior Bond Bank Bonds at the principal corporate trust office of Fifth Third Bank, [address], Cincinnati, Ohio [zip code], as paying agent.

Dated this ___ day of _____, 2003.

FIFTH THIRD BANK

as Paying Agent

By: _____

EXHIBIT F

<u>Date of</u> <u>Reinvestment*</u>	<u>Amount of</u> <u>Reinvestment</u>	<u>Maturity Date</u> <u>of Reinvestment</u>
--	---	--

* If any date specified is not a business day, such date will be the next following business day.

Proposal No. 496, 1997 was adopted on the following roll call vote; viz:

22 YEAS: Black, Borst, Boyd, Brents, Cockrum, Coughenour, Curry, Franklin, Gilmer, Gray, Jones, Massie, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

4 NAYS: Coonrod, Dowden, Golc, Hinkle

2 NOT VOTING: Bradford, McClamroch

1 ABSENT: Moriarty Adams

Proposal No. 496, 1997 was retitled SPECIAL RESOLUTION NO. 65, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 65, 1997

A SPECIAL RESOLUTION authorizing the Coffin Municipal Golf Course Management Agreement by and between the Department of Parks and Recreation of the City of Indianapolis and Gray Eagle Golf, LLC for the management and operation of Coffin Municipal Golf Course.

WHEREAS, the Board of Parks and Recreation of the City of Indianapolis, Indiana (the "Board"), being the governing body of the Department of parks and Recreation of the City of Indianapolis, Indiana, operates on behalf of the City of Indianapolis, Indiana (the "City"), Coffin Municipal Golf Course (the "Golf Course"); and

WHEREAS, the Board has determined it to be in the best interest of the Department and the citizens of the City to enter into a Management Agreement (the "Agreement") with Gray Eagle Golf, LLC (the "Operator") whereby the Operator will manage and operate the Golf Course for the Department pursuant to the terms of the Agreement; and

WHEREAS, the Board and Operator have negotiated the terms by which the Operator would manage and operate the Golf Course, and encompassed such terms in the proposed Form of Agreement which is in substantially final form and a copy of which is submitted herewith; and

WHEREAS, Ind. Code 36-1-14.3-9 requires that such agreement be approved by the City-County Council of the City of Indianapolis and the County of Marion, Indiana ("Council"); now, therefore:

August 4, 1997

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby approves the management and operation of the Golf Course by Operator pursuant to the terms of the Agreement which is in substantially final form and a copy of which shall be filed by the Clerk with the official copy of this resolution.

SECTION 2. The Council hereby delegates to the Board the authority to cause the Agreement to be finalized and executed on behalf of the City.

SECTION 3. This Resolution shall be effective upon adoption and compliance with Ind. Code 36-3-4-14.

Proposal No. 502, 1997 was adopted on the following roll call vote; viz:

22 YEAS: Black, Borst, Boyd, Bradford, Cockrum, Coughenour, Curry, Franklin, Gilmer, Gray, Jones, Massie, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

4 NAYS: Coonrod, Dowden, Golc, Hinkle

2 NOT VOTING: Brents, McClamroch

1 ABSENT: Moriarty Adams

Proposal No. 502, 1997 was retitled GENERAL ORDINANCE NO. 119, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 119, 1997

A GENERAL ORDINANCE of the City of Indianapolis, Indiana (the "City") and the County of Marion, Indiana (the "County") amending Chapter 135, Article III, Division 4, of the Revised Code of the Consolidated City and County, which established a special non-reverting operating fund for the purpose of depositing certain monies and repaying certain City Bonds each as described below pursuant to the request of the Board of Parks and Recreation (the "Board") on behalf of the Department of Parks and Recreation (the "Department") in its resolution dated June __, 1997 (the "Resolution") and as authorized by IC 36-10-4-16.

WHEREAS, IC 36-10-4-16 provides that upon the request of the Department, the City-County Council may establish by ordinance a special non-reverting operating fund for park purposes from which expenditures may be made as provided by such ordinance; and

WHEREAS, at the request of the Board (the "Board") of the Department of Parks and Recreation of the City of Indianapolis, Indiana (the "Department"), the City-County Council (the "City-County Council") of the City of Indianapolis (the "City") and the County of Marion, Indiana (the "County") established a special non-reverting operating fund pursuant to IC 36-10-4-16 (the "Parks Project Revenue Fund") for park purposes and related matters pursuant to General Ordinance No. 62, 1994; and

WHEREAS, Chapter 135, Article III, Division 4, of the Revised Code provides that the revenues received by the Department from the operation of the City's A. J. Thatcher Municipal Golf Course, Douglass Municipal Golf Course, Sahn Municipal Golf Course, Sarah Shank Municipal Golf Course, Pleasant Run Municipal Golf Course and Coffin Municipal Golf Course are to be deposited in the Parks Project Revenue Fund and used to provide for payment of the City's Parks Project Revenue Bonds, Series 1994 A (the "Series 1994 A Bonds") and Parks Project Revenue Bonds, Series 1994 B (the "Series 1994 B Bonds" and together with the Series 1994 A Bonds, the "Series 1994 Bonds"), issued pursuant to Special Ordinance No. 7, 1994 and for certain other park purposes; and

WHEREAS, the Board has now determined that it is in the best interest of the citizens of the City and the County to refund the Series 1994 Bonds in advance of their stated maturity dates ("Refunding") in order to eliminate certain of the restrictions and covenants imposed on the City in the operation, maintenance and improvement of certain of its municipally owned golf courses; and

WHEREAS, the Board has requested the City to issue (A) one series of revenue bonds of the City to refund the Series 1994 A Bonds which will be paid from revenue generated by the incremental increase in property taxes from the Brookville/Senour Economic Development Area established by the Metropolitan Development Commission acting as the Redevelopment Commission of the City on August 19, 1987 and, if necessary, revenues received by the Department from the operation of Whispering Hills Municipal Golf Course, and (B) a second series of revenue bonds of the City to refund the Series 1994 B Bonds which will be paid from revenues received by the Department from the operation of Coffin Municipal Golf Course, Riverside Municipal Golf Course and Riverside Golf Academy; and

WHEREAS, the Board determined that, effective as of the date of the Refunding, it is in the best interest of the City, the County and its citizens to amend Chapter 135, Article III, Division 4, of the Revised Code to provide that for two separate parks project revenue funds such that (1) all revenues received by the City from incremental increase in property taxes from the Brookville/Senour Economic Development Area and, if necessary, revenues received by the Department from the operation of Whispering Hills Golf Course will be deposited in one of such fund and (2) all revenues received by the Department from the operation of Coffin Municipal Golf Course, Riverside Municipal Golf Course and Riverside Golf Academy will be deposited in another such fund; and

WHEREAS, the Board requested that the City-County Council amend its Chapter 135, Article III, Division 4 of the Revised Code, by adopting an ordinance in the form hereof; and

WHEREAS, the Board continuously appropriates all monies from time to time accumulated in such Parks Project Revenue Fund for the payment of debt service on the City bonds issued in connection with the Refunding, as prescribed in the ordinance authorizing the issuance of such City bonds; and

WHEREAS, the City-County Council now finds that it is necessary and will be of general benefit to the City, the County and its citizens to amend Chapter 135, Article III, Division 4, of the Revised Code provided that such amendments shall not become effective until the date the Series 1994 Bonds are no longer outstanding in accordance with their terms and under the trust indenture authorizing their issuance;

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County", specifically Chapter 135, Article III, Division 4, Parks Project Revenue Fund be, and is hereby amended by deleting the stricken-through text and inserting the underlined text to read as follows:

Sec. 135-451. Parks project revenue fund.

The City-County Council hereby ~~establishes~~ continues the establishment of the parks project revenue fund as a non-reverting operating fund of the department of parks and recreation pursuant to IC 36-10-4-16, with such fund to be held and applied pursuant to the terms of this division as of the effective date herein provided.

Sec. 135-452. Source of funds.

~~The All revenues received by the department from the operation of the city's existing A.J. Thatcher Municipal Golf Course, Douglass Municipal Golf Course, Sahn Municipal Golf Course, Sarah Shank Municipal Golf Course and Pleasant Run Municipal Golf Course~~ city from the incremental increase in property taxes from the Brookville/Senour Economic Development Area established by the Metropolitan Development Commission acting as the Redevelopment Commission of the city on August 19, 1987 and all revenues received by the department from the operation of Whispering Hills Municipal Golf Course shall be deposited into a separate and segregated account within the parks project revenue fund to be known as the "Whispering Hills Parks Project Revenue Fund" in order to adequately provide for debt service payments when due on all city bonds issued, the proceeds of which are used for or otherwise related to the initial project or other projects, all as prescribed in the indenture for the Refunding of the Series 1994 A Bonds (as further prescribed in the ordinance of the City authorizing the issuance of such City bonds). All revenues received by the Department from the operation of Coffin Municipal Golf Course, Riverside Municipal Golf Course and Riverside Golf Academy shall be deposited in a separate and segregated account within the Parks Project Revenue Fund to be known as the "Coffin/Riverside Parks Project Revenue Fund" in order to adequately provide

for debt service payments when due on all City bonds issued in connection with the Refunding of the Series 1994 B Bonds (as further prescribed in the ordinance of the City authorizing the issuance of such City bonds).

Sec. 135-453. Appropriation of funds.

The city hereby continuously appropriates all monies from time to time accumulated in the Whispering Hills Parks Project Revenue Fund to the payment of debt service on the city bonds (as authorized by a separate special ordinance of this city-county council) issued in connection with the Refunding of the Series 1994 A Bonds as prescribed in the trust indenture ordinance authorizing the issuance of the city such bonds without the need for further action or authorization from this city-county council. The city hereby continuously appropriates all monies from time to time accumulated in the Coffin/Riverside Parks Project Revenue Fund to the payment of debt service on the city bonds issued in connection with the Refunding of the Series 1994 B Bonds as prescribed in the ordinance authorizing such bonds without the need for further action or authorization from this city-county council.

Sec. 135-454. Use of funds.

Monies from time to time accumulated in the Whispering Hills Parks Project Revenue Fund may only be: (a) used to provide for the payment of debt service on the city bonds issued in connection with the Refunding of the Series 1994 A Bonds and other project expenditures related to Whispering Hills Municipal Golf Course, (b) used to provide for the payment of capital or operating expenditures for golf-related purposes, as determined by the board or (c) transferred to the golf general fund of the department, as determined by the board, or some combination thereof; provided any such use or transfer shall be in the manner prescribed and permitted by the trust indenture ordinance authorizing the issuance of the city bonds issued in connection with the Refunding of the Series 1994 A Bonds. Monies from time to time accumulated in the Coffin/Riverside Parks Project Revenue Fund may only be (a) used to provide for the payment of debt service on the City bonds issued in connection with the Refunding of the Series 1994 B Bonds and other expenditures related to Coffin Municipal Golf Course, Riverside Municipal Golf Course or Riverside Golf Academy, (b) used to provide for the payment of capital or operating expenditures for golf-related purposes, as determined by the Board or (c) transferred to the golf general fund of the Department, as determined by the Board, or some combination thereof; provided any such use or transfer shall be in the manner prescribed and permitted by the ordinance authorizing the issuance of the City bonds issued in connection with the Refunding of the Series 1994 B Bonds.

Sec. 135-455. Authority of officers.

The city-county council hereby authorizes and directs any officers of the city, and each of them, for and on behalf of the city, and hereby authorizes and directs any officers of the county, and each of them, for and on behalf of the county, to take any actions as such officer determines are is necessary or appropriate to consummate the terms contemplated by or to accomplish the purposes of this sections 135-451 through 135-456 division, such determination to be conclusively evidenced by such officers taking of such actions.

Sec. 135-456. Irrevocability.

After sale of any city bonds to be issued in connection with the Refunding of the Series 1994 Bonds, these sections 135-451 through 135-456 this division shall be irrevocable and shall not be amended until all the city bonds, including additional bonds (as prescribed in the trust indenture authorizing the issuance of the city bonds) in any manner adverse to interest of the holders of such city bonds unless and until all such city bonds have been paid in full or are deemed no longer outstanding in accordance with the provisions of such indenture the ordinances authorizing their issuance.

SECTION 2. This general ordinance shall rescind and repeal any portion of any special ordinances or general ordinances of the City or County which conflict with the terms hereof.

SECTION 3. This general ordinance shall be in full force and effect following its adoption and compliance with IC 36-3-4-14 from and after the date on which the Series 1994 Bonds are deemed no longer outstanding in accordance with the provisions of the indenture authorizing their issuance.

SPECIAL ORDERS - FINAL ADOPTION

Councillor Schneider reported that the Administration and Finance Committee heard Proposal Nos. 425-427, 1997 on July 22, 1997. All three proposals were sponsored by Councillor O'Dell. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. He asked for consent to vote on Proposal Nos. 425-427, 1997 together. Consent was given.

PROPOSAL NO. 425, 1997. The proposal approves the sale of a parcel, comprising approximately 14 acres, of surplus County property associated with former Marion County Healthcare Center to Lagos, Inc., the highest bidder on the parcel at the public auction. PROPOSAL NO. 426, 1997. The proposal approves the sale of a parcel, comprising approximately 26.29 acres, of surplus County property associated with former Marion County Healthcare Center to Stephen Little, the highest bidder on the parcel at the public auction. PROPOSAL NO. 427, 1997. The proposal approves the sale of a parcel, comprising approximately 45.04 acres, of surplus County property associated with former Marion County Healthcare Center to L. Gordon Muesing, the highest bidder on the parcel at the public auction. Councillor Schneider moved, seconded by Councillor Shambaugh, for adoption. Proposal Nos. 425-427, 1997 were adopted on the following roll call vote; viz:

28 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams
0 NAYS:
1 ABSENT: Moriarty Adams

Proposal No. 425, 1997 was retitled SPECIAL RESOLUTION NO. 66, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 66, 1997

A SPECIAL RESOLUTION approving the sale of a parcel, comprising approximately 14 acres, of surplus County real property associated with former Marion County Healthcare Center to Lagos, Inc., the highest bidder on the parcel at a public auction.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. On June 3, 1997, the Marion County Board of Commissioners held a public auction of surplus real property associated with the former Marion County Healthcare Center.

SECTION 2. At the public auction, Lagos, Inc., an Indiana corporation wholly owned by Thomas H. Lagos, was the highest bidder, with a bid of \$47,000, for a parcel comprising approximately 14 acres with frontage on Muessing Road and Brookville Road.

SECTION 3. The City-County Council, pursuant to IC 36-1-11-3(c), hereby approves the sale of the parcel per the result of the public auction held by the Marion County Board of Commissioners.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 426, 1997 was retitled SPECIAL RESOLUTION NO. 67, 1997, and reads as follows:

August 4, 1997

CITY-COUNTY SPECIAL RESOLUTION NO. 67, 1997

A SPECIAL RESOLUTION approving the sale of a parcel, comprising approximately 26.29 acres, of surplus County real property associated with former Marion County Healthcare Center to Stephen Little, the highest bidder on the parcel at a public auction.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. On June 3, 1997, the Marion County Board of Commissioners held a public auction of surplus real property associated with the former Marion County Healthcare Center.

SECTION 2. At the public auction, Stephen Little was the highest bidder, with a bid of \$155,000, for a parcel comprising approximately 26.29 acres with frontage on Brookville Road, Kitley Road, and East County Line Road.

SECTION 3. The City-County Council, pursuant to IC 36-1-11-3(c), hereby approves the sale of the parcel per the results of the public auction held by the Marion County Board of Commissioners.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 427, 1997 was retitled SPECIAL RESOLUTION NO. 68, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 68, 1997

A SPECIAL RESOLUTION approving the sale of a parcel, comprising approximately 45.04 acres, of surplus County real property associated with former Marion County Healthcare Center to L. Gordon Muesing, the highest bidder on the parcel at a public auction.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. On June 3, 1997, the Marion County Board of Commissioners held a public auction of surplus real property associated with the former Marion County Healthcare Center.

SECTION 2. At the public auction, L. Gordon Muesing was the highest bidder, with a bid of \$141,000, for a parcel comprising approximately 45.04 acres with frontage on Muessing Road and East County Line Road.

SECTION 3. The City-County Council, pursuant to IC 36-1-11-3(c), hereby approves the sale of the parcel per the result of the public auction held by the Marion County Board of Commissioners.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 458, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 458, 1997 on July 28, 1997. The proposal authorizes the creation of a not-for-profit corporation to carry out educational and voluntary business registration programs to protect the quality of water drawn from public wells in Marion County. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 458, 1997, as amended, was adopted on the following roll call vote; viz:

19 YEAS: Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Dowden, Franklin, Hinkle, Jones, Massie, McClamroch, Moores, SerVaas, Short, Smith, Tilford, Williams

6 NAYS: Black, Curry, Gilmer, Golc, O'Dell, Shambaugh

3 NOT VOTING: Gray, Schneider, Talley

1 ABSENT: Moriarty Adams

Proposal No. 458, 1997, as amended, was retitled SPECIAL RESOLUTION NO. 69, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 69, 1997

A COUNCIL SPECIAL RESOLUTION to authorize the creation of a not-for-profit corporation to carry out educational and voluntary business registration programs to protect the quality of water drawn from public wells in Marion County

WHEREAS, the 1986 amendments to the Federal Safe Drinking Water Act, Title II, Section 205, Subsection 1428, and the Indiana Wellhead Protection Rule 327 IAC 8-4.1 require that efforts be made to sustain drinking water quality in ground waters that supply public water supply wells and wellfields; and

WHEREAS, the need for programs to protect wellfields at the local level and the appropriate nature of such programs was studied carefully by the broad based Indianapolis-Marion County Wellfield Protection Steering Committee (which met from 1994 to the beginning of 1997) and the recommendations of the Wellfield Protection Steering Committee were the subject of extensive hearings by the City-Council Committee on Metropolitan Development during 1996 and 1997; and

WHEREAS, the Wellfield Protection Steering Committee proposed a set of eight recommendations for comprehensively dealing with the quality of water in public wellfield, the City-County Council Committee on Metropolitan Development considered and evaluated these recommendations, and the City-County Council, on April 28, 1997, endorsed the following potential wellfield protection program components:

1. **Use easements (exclusively) in the "setback" area around wells (100-200 feet).**
If easements cannot be voluntarily secured, eminent domain may be used in setback area since there is a clear "utility purpose" as prescribed in state law.
2. **Use easements (selectively) where the water utility deems appropriate.**
This will involve voluntary purchase and will not likely entail use of the eminent domain power.
3. **Encouraging the placement of easements/deed restrictions on any parcels of government-owned land in the wellfield protection districts when such land is disposed of by the unit of government.**
This recommendation would be directed to all local, state, and federal agencies that hold land in the districts, including such units of local government as the county, consolidated city, included and excluded towns and cities, townships, conservation districts, school districts, and the like. The State Fair Commission, IUPUI, Marion County Health and Hospital Corporation, and the Veterans Administration are specific governmental units that have significant holdings in the W-1 and W-5 Districts.
4. **Reviewing the Gravel Sand Borrow (GSB) and drainage ordinances with specific regard to protection of ground water.**
We recommend that DMD and DPW undertake ordinance revisions to adequately protect wellfield ground water. Affected neighborhood, business, and environmental interests should be involved in these ordinance revision efforts.
5. **Incorporating wellfield protection considerations in revisions of the Marion County Comprehensive Plan.**
6. **Creating a wellfield education and registration program.**

August 4, 1997

A Wellfield Education Corporation should be formed to (1) conduct general education, and (2) register and provide targeted education for businesses that pose a potential risk to ground water.

7. **Adopting a Development Plan ordinance that regulates new development and the expansion of existing facilities for new businesses locating in the wellfield districts.**
8. **Conducting a comprehensive evaluation of the wellfield protection program, including the education and registration program, administration of the development plan ordinance, and policy recommendations to the City-County Council no later than June 30, 2000 ; and**

WHEREAS, recommendation '7' was made effective as the City-County Council adopted on May 19, 1997 (and the Metropolitan Development Commission ratified on June 4, 1997) The Wellfield Protection Zoning Ordinance (G.O. 76, 1997) which imposes the requirement that in wellfields a Development Plan be approved by a technically qualified person for certain kinds of business development before issuance of an Improvement Location Permit; and

WHEREAS, The Wellfield Protection Zoning Ordinance specifies in Chapter III that water utilities operating in Marion County are required to annually provide funding that would, among other purposes, be used to support " a wellfield education and registration program"; and

WHEREAS, the recommended mechanism for carrying out the registration and education effort to protect water quality in wellfields is a not-for-profit corporation; and

WHEREAS, the not-for-profit corporation should have a representative board of director membership appointed by the Mayor, the City-County Council, the Health and Hospital Corporation Board of Trustees, and the three public water supply utilities; and

WHEREAS, the not for profit corporation should be able to receive funding from the water utilities (pursuant to Chapter III of The Wellfield Protection Zoning Ordinance), as well as other sources, and would be responsible for carrying out some or all of the following activities:

- educating the public about ground water concerns and wellfield protection;
- educating and providing technical assistance to businesses in Wellfield Protection Districts as to the proper use and storage of chemicals, as well as general wellfield education;
- overseeing the registration of potential business/commercial contaminant sources located within the Marion County wellfields; and
- evaluating the effectiveness of program components; and

WHEREAS, the not-for-profit corporation should be required to regularly report to the Council Committee on Metropolitan Development and a final report should be prepared and presented to the City-County Council at the end of 2000; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council authorizes the creation of a not -for-profit corporation with these characteristics:

Qualification of members of board of directors and appointing entity for those directors

- One small business representative (Mayor - Indianapolis)
- One large business representative (City-County Council)
- One real estate developer (City-County Council)
- One expert in environmental policy, planning, or education (Mayor - Indianapolis)
- Two registered neighborhood organization representatives (one appointed by the Mayor - Indianapolis, one appointed by the City-County Council)
- One representative from each of the three local Public Water Utilities (Applicable Utility)
- One Marion County Health and Hospital Corporation Representative (Health and Hospital Board)
- One at-large-chair (Mayor - Indianapolis)

Bylaws

The not-for-profit entity shall have by-laws that grant authority to:

- institute a registration program for potential contaminant sources in Marion County wellfields;
- conduct on-site visits of potential contaminant sources to verify site status;
- educate the public and potential contaminant sources about groundwater and wellfield protection; and
- monitor activities of new and existing businesses in wellfield districts in order to assess success of program components.

Reporting relationship to the Council Committee on Metropolitan Development

- Before beginning the registration and education programs, the not-for-profit corporation shall present key components of the education and registration programs to the Council Committee on Metropolitan Development, estimate the cost and benefits of those programs, and discuss the methods that will be used to measure the success of the programs.
- At least twice a year the not-for-profit corporation shall provide progress reports regarding the registration and education programs to the Council Committee on Metropolitan Development.
- A comprehensive evaluation of the registration and education programs, with policy recommendations, shall be provided to the City-County Council no later than December 31, 2000. This report shall indicate the extent to which the following goals have been achieved over the period concluding at the end of the year 2000:
 - Increase by 50 percent the general public's awareness on the importance of ground water in designated wellfield protection areas in supplying drinking water to central Indiana businesses and residents.
 - Achieve knowledge of appropriate behavior by 50 percent of residents living in the one and five year times of travel and by 10 percent of residents in the remainder of Marion County.
 - Achieve registration of 90 percent of active potential contaminant sources, measured by comparison to estimates based on existing data bases and windshield/site surveys.
 - Achieve substantial and measurable voluntary compliance with program goals by 75 percent of businesses which had site visits.
 - Have no new significant contamination to ground water in designated well field protection areas that limits the supply of safe water.

The comprehensive report may also address other pertinent issues.

SECTION 2. The Articles of Incorporation shall be submitted to the council for approval and shall contain a provision which requires council approval of any subsequent amendment to the Articles of Incorporation which changes the composition or manner of selection of the board of directors.

SECTION 3. This special resolution shall be in full force and effect upon adoption.

PROPOSAL NO. 460, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 460, 1997 on July 28, 1997. The proposal approves a transfer of \$350,000 in the 1997 Budget of the Department of Metropolitan Development, Division of Community Development and Human Services (Federal Grants Fund) to acquire land which will directly benefit low/moderate income families. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Hinkle moved, seconded by Councillor Moores, for adoption. Proposal No. 460, 1997, as amended, was adopted on the following roll call vote; viz:

26 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

2 NOT VOTING: Coughenour, Schneider

1 ABSENT: Moriarty Adams

Proposal No. 460, 1997, as amended, was retitled FISCAL ORDINANCE NO. 75, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 75, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) transferring and appropriating an additional Three Hundred Fifty Thousand Dollars (\$350,000) in the Federal Grants Fund for purposes of the Department of Metropolitan Development, Division of Community Development and Human Services, and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Division of Community Development and Human Services to meet changing needs of the department's projects.

SECTION 2. The sum of Three Hundred Fifty Thousand Dollars (\$350,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
<u>DIVISION OF COMMUNITY DEVELOPMENT AND HUMAN SERVICES</u>	
4. Capital Outlay	<u>350,000</u>
TOTAL INCREASE	350,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
<u>DIVISION OF COMMUNITY DEVELOPMENT AND HUMAN SERVICES</u>	
3. Other Services and Charges	<u>350,000</u>
TOTAL REDUCTION	350,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 493, 1997. Councillor Shambaugh reported that the Parks and Recreation Committee heard Proposal No. 493, 1997 on July 23, 1997. The proposal approves a public purpose grant in the amount of \$715,700 for support of the arts. By a 4-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Black asked if this is the same amount as last year's grant. Councillor Shambaugh stated that it is slightly less.

Councillor Massie stated that he will abstain due to a conflict of interest.

Councillor Borst asked if anyone from the Arts Council was present at the meeting. Councillor Shambaugh stated that no one was present.

Councillor Golc stated that another mechanism should be looked at to fund the arts instead of the Parks budget.

Councillor Shambaugh moved, seconded by Councillor Short, for adoption. Proposal No. 493, 1997 was adopted on the following roll call vote; viz:

20 YEAS: *Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moores, O'Dell, SerVaas, Shambaugh, Short, Talley, Tilford, Williams*
7 NAYS: *Black, Bradford, Cockrum, Coonrod, Dowden, Schneider, Smith*
1 NOT VOTING: *Massie*
1 ABSENT: *Moriarty Adams*

Proposal No. 493, 1997 was retitled GENERAL RESOLUTION NO. 1, 1997, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 1, 1997

A GENERAL RESOLUTION approving certain public purpose grants for support of the arts.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA.

SECTION 1. The following grants totalling Seven Hundred Fifteen Thousand Seven Hundred Dollars (\$715,700) approved by General Resolution No. ____, 1997 of the Board of Parks and Recreation, for support of the arts are approved for the following organizations in the amounts set opposite their respective names:

1997 General Operating Support Grants:

American Pianists Association	\$ 5,500
Arts Indiana	12,500
Cathedral Arts	13,500
The Children's Museum of Indianapolis	120,400
Crossroads Performing Arts	1,700
Dance Kaleidoscope	8,100
Edyvean Repertory Theatre at CTS	9,100
Indians and Western Art	39,900
Ensemble Music Society	1,500
Festival Music Society of Indiana	1,500
Freetown Village	3,900
Gregory Hancock Dance Theatre	1,300
Indiana Repertory Theatre	41,300
Indianapolis Art Center	15,100
Indianapolis Art Chorale	800
Ballet International (Indianapolis Ballet Theatre)	9,000
Indianapolis Chamber Orchestra	7,100
Indianapolis Children's Choir	10,600
Indianapolis Civic Theatre	13,200
Indianapolis Museum of Art	119,100
Indianapolis Opera	17,000
Indianapolis Symphonic Band	900
Indianapolis Symphonic Choir	4,100
Indianapolis Symphony Orchestra	141,300
Madame Walker Theatre Center	17,400
New World Chamber Orchestra	2,500
Phoenix Theatre	6,800
Stories, Inc.	2,000
Susurrus	800
Theatre On The Square	1,900
Very Special Arts of Indiana	9,200
WFYI Teleplex	49,400
White River Sound Chorus	1,000

August 4, 1997

White River Sound Chorus	1,000
Writer's Center of Indianapolis	3,100
Young Audiences of Indiana	10,400
Subtotal	\$702,900

1997 Special Project Support Grants:

Clowes Memorial Hall	\$ 3,900
Heart Rays	1,200
Indiana Black Expo	3,700
Martin Luther King Community Center	4,000
Subtotal	\$12,800

Grand Total \$715,700

SECTION 2. This resolution is adopted in satisfaction of the requirements of Sec 4.01(c) of the Annual Budget for 1997, Fiscal Ordinance No. 94, 1996.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 470-485 and 487-492, 1997 on July 30, 1997.

PROPOSAL NO. 470, 1997. The proposal, sponsored by Councillor Coonrod, authorizes the signal removal at Drum Drive and 56th Street (District 5). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Coonrod, for adoption. Proposal No. 470, 1997 was adopted on the following roll call vote; viz:

26 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

2 NOT VOTING: Dowden, Schneider

1 ABSENT: Moriarty Adams

Proposal No. 470, 1997 was retitled GENERAL ORDINANCE NO. 120, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE No. 120, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13	Drum Dr, 56th St	None	Signal

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13	Drum Dr, 56th St	56th St	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Gilmer asked for consent to vote on Proposal Nos. 471-485, 487, and 488, 1997 together. Consent was given.

PROPOSAL NO. 471, 1997. The proposal, sponsored by Councillor Williams, authorizes a multi-way stop at 29th Street and Park Avenue (District 22). PROPOSAL NO. 472, 1997. The proposal, sponsored by Councillor Williams, authorizes a multi-way stop at 27th Street and Columbia Avenue (District 22). PROPOSAL NO. 473, 1997. The proposal, sponsored by Councillor Dowden, authorizes a multi-way stop at Sargent Creek Court and Sargent Creek Drive (District 4). PROPOSAL NO. 474, 1997. The proposal, sponsored by Councillor Gray, authorizes stop signs at Fenmore Road at 52nd Street (Districts 2, 9). PROPOSAL NO. 475, 1997. The proposal, sponsored by Councillor Gray, authorizes stop signs at Bethel Road at 52nd Street (District 9). PROPOSAL NO. 476, 1997. The proposal, sponsored by Councillor Smith, authorizes a multi-way stop at Raindance Trail and Palomino Trail, and at Raindance Trail and Sundance Trail (District 23). PROPOSAL NO. 477, 1997. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at State Avenue and Nelson Street (District 21). PROPOSAL NO. 478, 1997. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Gimber Street and Dietz Street (District 21). PROPOSAL NO. 479, 199. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Pleasant Street and Spruce Street (District 21). PROPOSAL NO. 480, 1997. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Spruce Street and Woodlawn Avenue (District 21). PROPOSAL NO. 481, 1997. The proposal, sponsored by Councillor Gilmer, authorizes a multi-way stop at 57th Street and Eden Village Drive (District 1). PROPOSAL NO. 482, 1997. The proposal, sponsored by Councillor Massie, authorizes a multi-way stop at New Jersey Street and Tulip Drive (District 20). PROPOSAL NO. 483, 1997. The proposal, sponsored by Councillor Schneider, authorizes a multi-way stop at 85th Street and Winthrop Avenue (Districts 2, 3). PROPOSAL NO. 484, 1997. The proposal, sponsored by Councillor Schneider, authorizes a multi-way stop at 91st Street and Castle Knoll Boulevard, and at 91st Street and Kasteel Way (District 3). PROPOSAL NO. 485, 1997. The proposal, sponsored by Councillor Schneider, authorizes a multi-way stop at Nora Lane and Nottingham Drive (District 3). PROPOSAL NO. 487, 1997. The proposal, sponsored by Councillor Jones, authorizes a multi-way stop at 36th Street and Wallace Avenue (District 10). PROPOSAL NO. 488, 1997. The proposal, sponsored by Councillor Brents, authorizes an intersection control at Chesapeake Street and Pennsylvania Street (District 16). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Short, for adoption. Proposal Nos. 471-485, 487, and 488, 1997 were adopted on the following roll call vote; viz:

August 4, 1997

28 YEAS: Black, Borst, Boyd, Bradford, Brens, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

1 ABSENT: Moriarty Adams

Proposal No. 471, 1997 was retitled GENERAL ORDINANCE NO. 121, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 121, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	29th St, Park Av	Park Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	29th St, Park Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 472, 1997 was retitled GENERAL ORDINANCE NO. 122, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 122, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	Columbia St, 27th St	Columbia St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	Columbia 27th St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 473, 1997 was retitled GENERAL ORDINANCE NO. 1231, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 123, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6	Sargent Creek Ct, Sargent Creek Dr	Sargent Creek Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6	Sargent Creek Ct, Sargent Creek Dr	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 474, 1997 was retitled GENERAL ORDINANCE NO. 124, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 124, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

August 4, 1997

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9	Fenmore Rd, 52nd St	52nd St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 475, 1997 was retitled GENERAL ORDINANCE NO. 125, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 125, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9	Bethel Rd, 52nd St	52nd St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 476, 1997 was retitled GENERAL ORDINANCE NO. 126, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 126, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41	Palomino Trl, Raindance Trl	Palomino Trl	Stop
41	Palomino Trl, Sundance Trl	Sundance Trl	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41	Palomino Trl, Raindance Trl	None	All Way Stop
41	Palomino Trl, Sundance Trl	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 477, 1997 was retitled GENERAL ORDINANCE NO. 127, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 127, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	State Av, Nelson St	State Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	State Av, Nelson St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 478, 1997 was retitled GENERAL ORDINANCE NO. 128, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 128, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

August 4, 1997

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Dietz St, Gimber St	Dietz St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Dietz St, Gimber St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 479, 1997 was retitled GENERAL ORDINANCE NO. 129, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 129, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Pleasant St, Spruce St	Pleasant St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Pleasant St, Spruce St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 480, 1997 was retitled GENERAL ORDINANCE NO. 130, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 130, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Spruce St Woodlawn Av	Woodlawn Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Spruce St, Woodlawn Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 481, 1997 was retitled GENERAL ORDINANCE NO. 131, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 131, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9	57th St, Eden Village Dr	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 482, 1997 was retitled GENERAL ORDINANCE NO. 132, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 132, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1 The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46	New Jersey St, Tulip Dr	None	All Way Stop

SECTION 2 This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 483, 1997 was retitled GENERAL ORDINANCE NO. 133, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 133, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1 The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4	85th St, Winthrop Av	85th St	Stop

SECTION 2 This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 484, 1997 was retitled GENERAL ORDINANCE NO. 134, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 134, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6	91st St, Castle Knoll Blvd	91st St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6	91st St, Castle Knoll Blvd	None	All Way Stop
6	91st St, Kasteel Way	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 485, 1997 was retitled GENERAL ORDINANCE NO. 135, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 135, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4	Nora Ln, Nottingham Dr	Nora Ln	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4	Nora Ln, Nottingham Dr	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 487, 1997 was retitled GENERAL ORDINANCE NO. 136, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 136, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION I. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19	36th St, Wallace Av	36th St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19	36th St, Wallace Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 488, 1997 was retitled GENERAL ORDINANCE NO. 137, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 137, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25	Chesapeake St, Pennsylvania	Pennsylvania St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Gilmer asked for consent to vote on Proposal Nos. 489 and 490, 1997 together. Consent was given.

PROPOSAL NO. 489, 1997. The proposal, sponsored by Councillor Brents, authorizes 55 degree angle parking on Wabash Street between Illinois Street and Capitol Avenue (District 16). PROPOSAL NO. 490, 1997. The proposal, sponsored by Councillor Brents, authorizes 55 degree parking on Washington Street between Capitol Avenue and West Street (District 16). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal Nos. 489 and 490, 1997 were adopted on the following roll call vote; viz:

27 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams
1 NAY: Curry
1 ABSENT: Moriarty Adams

Proposal No. 489, 1997 was retitled GENERAL ORDINANCE NO. 138, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 138, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets; Sec. 29-283, Parking meter zones designated; and Sec. 29-254, Manner of parking.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

Wabash Street, on the north side,
from Illinois Street to Capitol Avenue

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-283, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

Wabash Street, on the south side,
from Illinois Street to Capitol Avenue

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-254, Manner of parking, be, and the same is hereby amended by the addition of the following, to wit:

(e) *Fifty-five degree angles.* Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of fifty-five (55) degrees to the curb, or if there is no curb, then to the line of the traveled roadway, shall be used, and vehicles shall not park otherwise thereon:

Wabash Street, on the south side,
from Illinois Street to Capitol Avenue

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 490, 1997 was retitled GENERAL ORDINANCE NO. 141, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 141, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-254, Manner of parking.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-254, Manner of parking, be, and the same is hereby, amended by the addition of the following, to wit:

(e) *Fifty-five degree angles.* Whenever parking is permitted on any of the following streets or parts thereof, parking at an angle of fifty-five (55) degrees to the curb, or if there is no curb, then to the line of the traveled roadway, shall be used, and vehicles shall not park otherwise thereon:

Washington Street, on both sides,
from Capitol Avenue to West Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 491, 1997. The proposal, sponsored by Councillor Cockrum, authorizes parking restrictions on the east side of a portion of Whitcomb Avenue, south of Lambert Street (District 19). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Cockrum, for adoption. Proposal No. 491, 1997 was adopted on the following roll call vote; viz:

24 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moores, O'Dell, SerVaas, Shambaugh, Short, Talley, Tilford, Williams

0 NAYS:

4 NOT VOTING: Dowden, Massie, Schneider, Smith

1 ABSENT: Moriarty Adams

Proposal No. 491, 1997 was retitled GENERAL ORDINANCE NO. 139, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 139, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

Whitcomb Avenue, on the east side,
from 160 feet south of Lambert Street
to a point 262 feet south of Lambert Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 492, 1997. The proposal, sponsored by Councillor Gilmer, authorizes a change in the speed limit for 86th Street between I-465 and Payne Road (District 1). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Short, for adoption. Proposal No. 492, 1997 was adopted on the following roll call vote; viz:

27 YEAS: Black, Borst, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

1 NOT VOTING: Boyd

1 ABSENT: Moriarty Adams

Proposal No. 492, 1997 was retitled GENERAL ORDINANCE NO. 140, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 140, 1997

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the deletion of the following, to wit:

40 MPH

86th Street, from
I-465 on the west to College Avenue

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby, amended by the addition of the following, to wit:

40 MPH

86th Street, from
Payne Road to College Avenue

45 MPH

86th Street, from
I-465 to Payne Road

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

Councillor Bradford invited all Councillors to the Broad Ripple Grand Prix to benefit Huntington's Disease on August 8, 9, and 10, 1997.

Councillor Golc asked if any more information was forthcoming on the soil moved to the west side from the new arena site, and if it was contaminated. The President stated that the Phase I investigation showed no contamination. Councillor Cockrum stated that close scrutiny has been done and the soil fits within the guidelines as non-contaminated soil.

August 4, 1997

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Williams in memory of Christina Price; and
- (2) Councillor Boyd in memory of Jim Stewart; and
- (3) Councillor Moriarty Adams in memory of John J. Burke.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Christina Price, Jim Stewart; and John J. Burke. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:15 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 4th day of August, 1997.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President

ATTEST:


Clerk of the Council

(SEAL)